# CONFERENCE ON DISARMAMENT

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FINAL RECORD OF THE SEVEN HUNDRED AND FIFTY-THIRD PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 30 January 1997, at 10 a.m.

President: Mr. Sun (Republic of Korea)

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The PRESIDENT: I declare open the 753rd plenary meeting of the Conference on Disarmament.

I should like at the outset to extend, on behalf of the Conference and on my own behalf, a warm welcome to the Secretary-General of the United Nations, His Excellency Mr. Kofi Annan, who will be our first speaker today. I am sure we are all very grateful to the Secretary-General who, so soon after the assumption of his heavy responsibilities and despite his extremely heavy schedule during his stay in Geneva, has found it possible to address our Conference. His presence among us today is proof of his personal interest in the issues of arms control and disarmament and of the importance he attaches to our forum. I am certain that I speak for all of us when I express my conviction that the presence of Mr. Kofi Annan today will give decisive impetus to our work.

I am also very pleased to cordially welcome the Minister for Foreign Affairs of Australia, the Hon. Alexander Downer, who will also address the Conference today. His visit is a further testimony of his country's continued and sustained commitment to the work of the Conference.

In addition to the Secretary-General of the United Nations and the Minister for Foreign Affairs of Australia, the list of speakers for today includes the representatives of Pakistan, Algeria, Japan, the United Kingdom, Chile, Sri Lanka and the Islamic Republic of Iran. Once we have exhausted the list of speakers, I intend to put forward for decision of the Conference requests from Saudi Arabia, the Philippines, Jordan and Swaziland to participate, as observers, in our work during the year of 1997. With your concurrence, I should like to take a decision on these requests without first considering them at an informal meeting.

Now I invite the Secretary-General of the United Nations, His Excellency Mr. Kofi Annan, to make his statement.

Mr. ANNAN (Secretary-General of the United Nations): Distinguished representatives, ladies and gentlemen, perhaps before I start I would want to congratulate you, Mr. President, for your able leadership of this Conference. I am honoured and delighted to be able to address this vital forum, so early in my term as Secretary-General of the United Nations.

The world no longer lives under the shadow of the cold war. But today, the nations and peoples of the world are looking to this Conference to press ahead with the global disarmament agenda. They hope that this Conference can bring the twin threats of weapons of mass destruction and the world's growing stockpile of conventional weapons under control.

They expect this Conference to advance one of the fundamental objectives of the United Nations: the maintenance of international peace and security.

(Mr. Annan, Secretary-General of the United Nations)

Ten years ago, even the most optimistic supporters of disarmament could not have expected the cold war to end so abruptly. Nor could we have imagined that its end would lead so rapidly to so much positive cooperation at the unilateral, bilateral, regional and global levels.

Today, we have all been jolted out of the established strategic concepts born of the cold war and the constant threat of nuclear confrontation. As Secretary-General, I welcome the positive efforts made to advance international cooperation in the three vital areas of chemical, biological and nuclear weapons.

A variety of successful unilateral measures and mutual agreements on the downsizing of nuclear stockpiles have been put in place.

And the nuclear Powers continue to cooperate in seeking safer ways of dismantling weapons and of handling and storing fissile material.

The Treaties of Bangkok and Pelindaba, and further consolidation of the Treaties of Tlatelolco and Rarotonga, provide an ever stronger foundation for further advances in the field of nuclear non-proliferation. These treaties have enhanced the security of the States which are parties to them.

Within a few months of its approval by the General Assembly in September 1996, the Comprehensive Nuclear-Test-Ban Treaty had already been signed by 140 States. These include all five nuclear-weapon States, and more than two thirds of the membership of the Organization.

We shall soon witness the entry into force of the Chemical Weapons Convention and the inauguration of its implementing organization.

I urge all those States that have not yet ratified the Convention, and in particular declared possessors of chemical weapons, such as the Russian Federation and the United States, to do so before it enters into force. I welcome the commitment of their Governments to achieving that important goal.

The States parties to the Biological Weapons Convention met last year. They agreed to continue seeking ways of reinforcing its international authority through the negotiation of a verification regime. I strongly support these efforts.

All of these developments add up to a new and positive climate in the international security arena.

We know, however, that uncertainties and serious challenges remain. We must do more, all of us, to develop and enhance new international structures, and to redefine the mechanics of international relationships in the post-cold-war era.

A new international security agenda must be agreed, which takes account of our rapidly changing world.

(Mr. Annan, Secretary-General of the United Nations)

This Conference therefore faces a new and serious challenge. Its mandate makes it the sole international body with responsibility for negotiating agreements on arms regulation and disarmament. That is a heavy responsibility. How can your Conference best discharge it, and help to define a new disarmament agenda for the closing years of this millennium?

Further decisive progress towards nuclear disarmament has become an expectation of the new era. I add my voice to those who have expressed strong support for the urgent need to continue with the process of nuclear disarmament and non-proliferation. The possibility of nuclear accidents, illicit trafficking in nuclear materials and the threat of nuclear terrorism all underline the need to maintain progress in this area.

Nuclear disarmament must remain a priority for the international community. In this respect, your Conference has a unique opportunity to build on the successful work of the 1995 Review and Extension Conference of the parties to the Nuclear Non-Proliferation Treaty. Although the Treaty has not yet achieved universality, it embraces almost the entire membership of the United Nations. Its decisions could, therefore, constitute a broad guideline for further steps in this field.

One such step should be a convention banning the production of fissile material for nuclear weapons or other nuclear explosive devices. I am aware that this issue poses enormous technical and political difficulties. But I would also remind the Conference that we can never move forward unless we are prepared to start talking.

In my view, the mandate of the ad hoc committee established by the 1995 Conference is inclusive of the positions of all States. I urge the Conference to find a way to build on this positive start and to begin negotiations as soon as possible.

The implementation of the international community's commitment to the irreversible process of nuclear disarmament represents one of the overarching challenges of our time. The specific character of your Conference - a forum of high standing and broad representation - makes it eminently qualified to lend its support to efforts aimed at furthering this noble objective. I hope that the Conference will be able to avoid a situation which could jeopardize this shared goal.

In addition, your Conference has long been concerned over the related issue of security assurances to non-nuclear-weapon States against the use or threat of use of nuclear weapons. This issue could be usefully re-examined to determine how such assurances can be strengthened further.

The traditional concerns of this Conference have been weapons of mass destruction.

But increases in local and regional conflicts since the end of the cold war have made the issue of conventional weapons an urgent and important one. These are the weapons which are actually killing combatants and civilians in

(Mr. Annan, Secretary-General of the United Nations)

their tens of thousands every year. We know just how helpless the international community can be when massive amounts of conventional arms are allowed to accumulate, legally or illegally, within States.

Of course, weapons in themselves do not cause war. But an excess of arms breeds the suspicion and mistrust that can heighten tensions and lead to violent conflict.

Our challenge today is to build on our hope and optimism at the end of the cold war, and not allow real progress in international security to be undermined by new conventional arms races at the regional and subregional levels.

On a personal level, I owe a huge debt of gratitude to the courage and devotion of United Nations peace-keepers and other international personnel.

They face daily the threat posed by millions of indiscriminately laid anti-personnel landmines. These weapons have become weapons of terror.

That is why I urge all States to ensure that amended Protocol II of the Convention on Certain Conventional Weapons enters into force as soon as possible and to comply fully with its provisions. I welcome the growing movement in favour of national measures to curb the transfer and use of these weapons and the commitment of more and more States to negotiate an effective legally binding total ban on them.

While it is for the international community to decide the best venue for the negotiating process, it would seem logical for the Conference on Disarmament to play a role.

The security challenges facing the international community can appear daunting. But they are far from being insurmountable. There are solid grounds for optimism. The Conference has the vision and the tools needed for success. An increased membership gives greater scope for new ideas, suggestions and proposals. Any further expansion of membership must ensure that the effectiveness of the Conference is preserved, while maintaining its important geographical and political balance.

One of the strongest instruments the Conference has at its disposal is a consensus approach to problem-solving. Without consensus, the solid foundations needed for further disarmament agreements and concerted international action cannot be built.

Consensus protects the interests of each State, big or small, and ensures that negotiated treaties and conventions command the widest possible support.

The Conference has a proud record of endeavour and of lasting achievement.

(Mr. Annan, Secretary-General of the United Nations)

In short, there is no institution on Earth better qualified than your Conference to translate the world's constant yearning for peace into practical, negotiated measures for enhancing international understanding and the security of all nations.

I pledge my full cooperation, and that of the United Nations, for your essential work. I wish you all a productive and successful session in 1997.

The PRESIDENT: I thank the Secretary-General for his statement, which, I am sure, constitutes a source of inspiration for all of us. I shall now suggest to suspend the plenary meeting for five minutes so that the Secretary-General of the Conference and myself may escort the Secretary-General from the room.

The meeting was suspended at 10.25 a.m. and resumed at 10.30 a.m.

The PRESIDENT: The plenary meeting is resumed. I now call on the Minister for Foreign Affairs of Australia, the Hon. Alexander Downer.

Mr. DOWNER (Australia): I am very pleased to have this opportunity to address the Conference on Disarmament, the more so under the distinguished chairmanship of Australia's regional neighbour and good friend, the Republic of Korea.

Through turbulent times and times of peace, Australia has endeavoured in this hall to make a practical and realistic contribution to building a better and a safer world.

We shall continue that endeavour in the current and future sessions of the Conference. You and your successors may count on the full and active cooperation of the Australian delegation in ensuring that, in 1997, the Conference acquits fully the expectations of the international community.

My first duty this morning is to lay before you the report of the Canberra Commission on the Elimination of Nuclear Weapons.

Of the myriad arms control challenges we face today, the question of how best to tackle the continued existence of large and sophisticated nuclear arsenals has long been the most vexed.

The Canberra Commission was a body of independent experts and eminent persons commissioned by the Australian Government to address the fundamental questions of whether a nuclear-weapon-free world is feasible and, if so, the measures which could be taken to attain that objective.

I should like to record here my gratitude to the members of the Commission for the extreme seriousness, dedication and creativity which they brought to bear on their task. The Commission's report comes at a crucial point in the international community's consideration of nuclear disarmament and non-proliferation.

(Mr. Downer, Australia)

Having at last met the challenge of concluding the Comprehensive Test-Ban Treaty, the international community must now push on with further practical and realistic measures on nuclear arms control and disarmament.

A window of opportunity is open before us. If we do not take that opportunity, the window could close, and future generations will not forgive us for this.

It is a complicated task. To succeed, the international community must develop new thinking - creative and imaginative thinking. But we cannot afford to lose ourselves in rhetoric or unproductive idealism. The international community needs to focus on developing ideas which are practical, constructive and realistic and which actually take us closer, step by step, to the goal of a world free of nuclear weapons.

I offer the report and recommendations of the Canberra Commission as just such a contribution to international thinking and discussion on nuclear disarmament.

Most importantly, the report recommends a political commitment by the nuclear-weapon States to the elimination of nuclear weapons. This is the first and central requirement.

The report then sets out six "immediate steps": taking nuclear forces off alert; removal of warheads from delivery vehicles; ending the deployment of non-strategic nuclear weapons; ending nuclear testing; initiating negotiations to reduce further United States and Russian nuclear arsenals; and an agreement amongst the nuclear-weapon States on reciprocal no-first-use undertakings, and of a non-use undertaking by them in relation to the non-nuclear-weapons States.

The Commission also recommends three "reinforcing steps": action to prevent further horizontal proliferation; developing verification arrangements for a nuclear-weapon-free world; and the cessation of the production of fissile material for nuclear explosive purposes.

The Commission placed a particular emphasis on the importance of effective verification in the achievement and maintenance of a nuclear-weapon-free world.

The nuclear disarmament debate is of utmost significance for the peoples of the world.

Australia urges careful consideration of the report of the Canberra Commission by all Governments. I sincerely hope and believe that the report will make a weighty contribution to future discussion of nuclear arms control and disarmament by the international community.

I have said that the international community has expectations of this organization. They are, I believe, that it should respond fully to the

opportunities created by the end of the cold war to deliver arms control treaties and agreements which make a practical, realistic contribution to an improved climate of international security.

I congratulate the CD for having risen to this challenge.

In the few short years since the end of the cold war, the Chemical Weapons Convention and the Comprehensive Test-Ban Treaty have been hammered out in these halls.

In outlawing for the first time an entire category of weapons of mass destruction and in ridding the planet of the spectre of nuclear testing, the CD has delivered to humanity - now and future generations - an incalculable good.

I am proud and grateful that my country working with members of this Conference, was able to contribute to both these achievements.

But you are now at a crossroads, ladies and gentlemen.

In a way, your recent successes make the way ahead more difficult and uncertain. It is certainly not an Alexandrian dilemma you face - that is, having no more worlds to conquer - but rather a choice as to how and where to deploy your energies and expertise now that a number of clear and long-held goals have been achieved, and the future arms control landscape looks - as a consequence - diffuse and unfamiliar.

It will be important that the Conference not relapse into the sterile ideological debate of the cold war years - years which were lean for this and other organizations built on and dedicated to international cooperation. You should bear in mind that the distinctive characteristic of this organization is its ability and mandate to negotiate arms control agreements. Naturally, you need to retain a sense of the broader strategic and political debate taking place in other forums on disarmament and non-proliferation issues, but your agenda should be framed in terms of clear, achievable and practical outcomes.

Do not dissipate your energies by trying to tackle too many tasks at once, particularly if they are being tackled elsewhere. Reform, modernize and streamline your agenda, jettisoning those elements which have become anachronistic and postponing to a more propitious time those which may be too ambitious in current circumstances. By all means, strike bargains, seek trade-offs and manoeuvre in other ways to protect and advance your national, regional or group interests, but avoid "hostage-taking" and stalemate.

Focus on the arms control negotiations which are of most pressing concern to the international community.

In 1997, I believe these to be: a treaty banning the production of fissile material for weapons purposes - a so-called "cut-off" convention - and a treaty which bans anti-personnel landmines totally.

(Mr. Downer, Australia)

For many years, proposals to negotiate a treaty to prohibit the production of fissile material for use in nuclear-weapons - the "cut-off convention" - have been on the international nuclear non-proliferation and disarmament agenda.

Australia has long supported a cut-off convention and co-sponsored the annual resolution on this issue at the United Nations General Assembly up to and including the 1993 resolution which received consensus support. However, in spite of this consensus endorsement, which supported the establishment of an Ad Hoc Committee in the CD, there has, as you know, been little progress.

It may until now have been possible to argue that other negotiations, such as the indefinite extension of the Nuclear Non-Proliferation Treaty, and the conclusion of the Comprehensive Test-Ban Treaty, needed to receive higher priority in the work programmes of international negotiating forums.

That time has now passed and Australia believes that the beginning of negotiations on a cut-off convention must be addressed urgently in your 1997 programme.

The wishes of the international community in this respect are clear.

In addition to the United Nations General Assembly resolutions to which I have referred, the Nuclear Non-Proliferation Treaty Review and Extension Conference in May 1995 called unanimously for "the immediate commencement and early conclusion of negotiations on a non-discriminatory and universally applicable convention banning the production of fissile material for nuclear weapons or other nuclear explosive devices ...".

While the exact shape and scope of the cut-off convention remain to be determined, an ad hoc committee of this Conference should be formed without further delay with a negotiating mandate based on the United Nations General Assembly forty-eighth session resolution.

The principal objective would be to cap the world's stockpile of fissile material and to provide a guarantee against the recommencement of the nuclear arms race. It would be an obvious and important complement to the Comprehensive Test-Ban Treaty in this respect.

A cut-off treaty would serve the security interests of all members of the international community - nuclear-weapon States and non-nuclear-weapon States, Nuclear Non-Proliferation Treaty parties and non-NPT parties.

For the nuclear-weapon States, membership of a cut-off convention would confirm the unilateral commitments already made by four of these States to cease producing weapons-grade fissile material, and codify this commitment into a general ban on such production. It would also place under safeguards a number of plants which have been excluded under the terms of the Nuclear Non-Proliferation Treaty.

(Mr. Downer, Australia)

For the so-called "threshold States", it would mean ceasing any production of fissile material suitable for use in nuclear weapons, and opening up their nuclear facilities to international verification.

For the majority of countries which, like Australia, are non-nuclear-weapon States party to the NPT, a cut-off convention would not require any additional safeguards or verification measures. But it would provide an additional guarantee as well as a reassurance that the world is headed in the direction of the complete elimination of nuclear weapons.

Indeed, the report of the Canberra Commission on the Elimination of Nuclear Weapons identified a cut-off convention as an important reinforcing step along this road which should be undertaken as a matter of urgency.

Anti-personnel landmines are the great scourge of our day - and, sadly, will remain so for generations to come.

You will all be familiar with the grisly statistics - the almost unimaginable number of these weapons sown haphazardly and unmarked in so many countries; the lives that have been lost or blighted, and that continue to be lost and blighted as we sit here; the tracts of farmland rendered useless or deadly. This problem is not just a theoretical or doctrinal concern but a lethal reality for many people across the globe - most poignantly for the estimated 10,000 people who will be killed and 20,000 who will be wounded by anti-personnel landmines in the coming year.

These weapons have been so widely misused in a way they were never intended to be that my country, like so many others, believes that the sane, humane course is to ban them completely.

Like many other countries, Australia has suspended the operational use of anti-personnel landmines by its armed forces. We have done this not because the Australian Defence Force is in any way responsible for the international landmines crisis, but as a moral gesture intended to hasten the end of the carnage.

Australia is committed to supporting practical measures to tackle the humanitarian disaster caused by landmines. That is why the Australian Government, shortly after coming into office in March 1996, announced a de-mining programme for Cambodia and Laos worth $12 million over three years. This comes on top of earlier contributions totalling $8.5 million, in addition to the deployment of our army engineers to de-mining programmes in Afghanistan, Mozambique, Angola and Cambodia.

I am happy to be able to announce to you today that Australia will be contributing a further $4 million over the next three years to mine clearance and rehabilitation work in Cambodia and Mozambique.

Australia is also interested in working with other countries to improve de-mining technology, in order to increase the rate and scale of the de-mining process. We have developed what we believe to be breakthrough technology

which has the potential to make mine detection faster and more reliable in countries like Cambodia with highly mineralized soils. We will be drawing this development to the attention of delegates to the Tokyo Conference on Anti-Personnel Landmines in March of this year.

What is needed now is an instrument which will formalize the many national unilateral gestures into a legally binding international regime which effectively outlaws anti-personnel landmines as a weapon of war and civilian terror.

Only the Conference on Disarmament, I believe, has the expertise, the experience and the standing to deliver such an instrument.

In many ways, this will be a novel challenge for you. Anti-personnel landmines are a classic defensive weapon - the security of no State is threatened by another's possession or deployment of them. The inspiration for your endeavours will be primarily humanitarian - very much related to the security of the individual.

The elaborate and intrusive compliance and verification mechanisms you have crafted in the case of chemical weapons and nuclear testing may well not be appropriate to an anti-personnel landmines treaty.

But such a treaty will be an arms control instrument. It must be effective, and have force and credibility. It must enjoy the imprimatur and the confidence of the international community. It must, in short, be a product of the Conference on Disarmament.

I know that some in this hall and beyond have reservations about such an enterprise on principle - principles related to legitimate self-defence needs or particular national security situations. I sympathize with these concerns.

Australia's own decision to suspend the use of anti-personnel landmines and to support the negotiation of a global ban as soon as possible was not taken without considerable soul-searching given that the defence challenge for Australia is to be able to protect a vast continent with a small professional armed force.

I urge the hesitant among you not to withhold consent to the CD's undertaking this vital work, but rather to explore and negotiate with an open mind - as happens with any arms control negotiation - how your particular national security interests may be accommodated within the framework of the international instrument the world needs.

I also know that some - inspired by humanitarian concerns with which Australia fully sympathizes - want to draw up a ban on anti-personnel landmines in a more limited ad hoc forum outside the Conference on Disarmament because, quite simply, they do not believe this Conference can deliver a treaty fast enough to meet the urgency of the humanitarian crisis we are facing.

(Mr. Downer, Australia)

I say to them - work on possible elements of a draft treaty by all means, assist and complement the CD in its endeavours, but be wary of the risk of producing a permanent partial solution to the global landmines crisis. I say to you, distinguished members of the Conference on Disarmament: prove them wrong.

I do not want to complete my remarks today without mentioning two other important disarmament issues.

We should all take immense satisfaction that the Chemical Weapons Convention, a landmark treaty negotiated in this forum, will enter into force on 29 April this year. The value of this achievement will be enhanced by the widest possible membership at entry into force, and I would urge those countries which have not yet ratified to do so in order to become original States parties.

I should also draw attention to the importance of the work currently under way in the Ad Hoc Group to strengthen the Biological Weapons Convention. The fact that breaches of this treaty have come to light in recent years underlines the urgent need to develop effective verification provisions for this Convention.

In doing so, however, we should be wary of achieving a result for its own sake - we must ensure that the machinery developed will be effective in monitoring compliance.

I realise I have been rather direct in my comments today, but I have done so as a friend of this institution and one who wants to see it continue productively for the benefit of all mankind. I see dangers for this institution if it spends 1997 in debate about its agenda and direction rather than maintaining the momentum of arms control negotiations.

I have commended to you a report - the report of the Canberra Commission - which I hope will stimulate international thinking and discussion on nuclear disarmament.

I have urged you to begin work on a cut-off convention, which that report sees as an important reinforcing step on the road to the complete elimination of nuclear weapons.

I have proposed a balancing negotiation - on anti-personnel landmines - which would address an urgent need in the area of conventional weapons.

I believe this package, or something like it, holds the key to the continuing credibility and relevance of this institution to the security needs of the international community.

The PRESIDENT: I thank the Hon. Alexander Downer, the Foreign Minister of Australia, for his statement and the kind words he addressed to the Chair. I now give the floor to the representative of Pakistan, Ambassador Munir Akram.

Mr. AKRAM (Pakistan): Mr. President, please accept felicitations of the Pakistan delegation and my personal best wishes on your assumption of the presidency of the Conference. This is an important and difficult juncture in the work of the Conference on Disarmament. We have no doubt that you will enable the CD to overcome these difficulties and realise its full potential to promote global disarmament.

I also wish to congratulate your distinguished predecessor, Ambassador Dembinski of Poland, for his leadership and sagacity during the final turbulent days of our 1996 session and its dramatic aftermath.

The personal participation in the CD of the new Secretary-General of the United Nations, Mr. Kofi Annan, is a welcome confirmation of the importance he attaches to the role of this Conference.

The Pakistan delegation also wishes to welcome to the CD the distinguished Foreign Minister of Australia, whose statement, as usual, has illustrated Australia's abiding commitment and contribution to global nuclear and conventional disarmament.

Following the conclusion of the CTBT, the CD is called upon to determine the issues on which it will next open negotiations. It would be best to leave aside, for in-depth consultations, the question of revising and updating our agenda - the so-called "Decalogue" - and to focus at present on the work programme of the CD for 1997.

The Pakistan delegation believes that the issues on which the CD will negotiate this year should reflect the imperatives for disarmament dictated by the evolution in the world situation and the balance of interests and priorities of all CD members, not only one State or a group of States. The CTBT veto last year by one country, no matter how regrettable, is no justification to bypass the mandate of this Conference. Exaggerated fears of future impasse do not justify unilateral processes which will result in the more rapid conclusion of hollow agreements.

Pakistan believes that you have presented a balanced proposal for the CD's 1997 work programme. My delegation is prepared to take up consideration of all the items listed in your paper. Let me offer some comments on the major issues.

Like most other members of this Conference, Pakistan attaches the highest importance to opening negotiations in the Conference on Disarmament on nuclear disarmament. Throughout the past year, the Group of 21 has repeatedly affirmed its formal proposal for the establishment of an ad hoc committee to open negotiations on nuclear disarmament.

With the end of the cold war, there is now an unprecedented opportunity to renounce and eliminate nuclear weapons. Indeed, some successes have been achieved: START-I and II, the NPT's indefinite extension, and the CTBT's conclusion.

(Mr. Akram, Pakistan)

Nevertheless, the nuclear threat may now be escalating, rather than declining. Firstly, the nuclear-weapon States wish to retain their nuclear arsenals, even if at drastically reduced levels, "for the foreseeable future". Nuclear deterrence is now propagated against "unforeseen threats" rather than specific adversaries. Multipolar nuclear deterrence is inherently more unstable, and thus more dangerous, than the bilateral cold war doctrine of mutually assured destruction (MAD). Will deterrence remain effective if old contests are renewed or new competitions are opened among the nuclear-weapon States in the future? Since there are no strategic confrontations at present, is it not wiser to seize the moment to prohibit and eliminate nuclear weapons altogether?

Instead of contracting, the compass of nuclear weapons appears to be enlarging. A statement issued last 18 December by the Defence Ministers of one major alliance stated:

> "New members [of this alliance] therefore will be expected to support the concept of deterrence and the essential role nuclear weapons play in the alliance strategy".

In our view, this would amount to the horizontal proliferation of the nuclear threat, if not horizontal proliferation of nuclear weapons.

Moreover, nuclear weapons are not being restricted to a deterrence role. New "missions" are being proposed for nuclear weapons, perhaps to justify their indefinite retention. After its signature of the Protocol to the Pelindaba Treaty, creating the African Nuclear-Weapon-Free Zone, a senior official of one major nuclear-weapon State asserted that it "will not limit the options available to [this nuclear Power] in response to an attack by [a treaty] party using weapons of mass destruction". The same alliance communiqué I mentioned previously also stated that efforts will be made "to develop on an accelerated basis new force goals to address proliferation risks". Thus, it seems that any country is open to the threat of use of nuclear weapons if it is considered to pose a "proliferation risk" - nuclear, chemical or biological. And adherence to the NPT, the CWC or the BWC is irrelevant. For, as another senior representative of the same Power stated, on 26 November 1996, during the BW Review Conference: "surely we know, based on experience, the membership in a regime is no guarantee of compliance". The implicit and explicit threats against non-nuclear-weapon States are, unfortunately, likely to breed the very dangers they are designed to prevent.

It is not unreasonable for the Group of 21 to press for nuclear disarmament and the complete elimination of nuclear weapons. This is now not only the Cartagena consensus, but also the ICJ's advisory opinion, the recommendation of the Canberra Commission, the view of the United Nations General Assembly and, above all, the dictate of common sense and of the human instinct for survival.

The world does not have the luxury of waiting for the major nuclear Powers to convince their visionary legislators to ratify START-II and rapidly conclude START-III, while the CD collectively sits on its hands.

(Mr. Akram, Pakistan)

The 2,000-plus nuclear weapons left with each of the two nuclear Powers, and the hundreds available to the other nuclear Powers, will still be sufficient to completely obliterate human civilization. Nor can the demand for CD negotiations on nuclear disarmament be deflected by incantation of the "Principles and objectives" adopted at the NPT Extension Conference. Two of the three "objectives" listed in that document - the CTBT and the FMCT - are construed by their proponents mainly as non-proliferation rather than nuclear disarmament agreements. The third objective, i.e. systematic efforts for nuclear disarmament, is what the G-21 is proposing for negotiations in the CD. Is it seriously contemplated that nuclear disarmament efforts could be pursued in the NPT review process, when its parties have failed to agree on a review of the Treaty's implementation at their last three review conferences? Is the assertion made here by three nuclear Powers that nuclear disarmament will be possible only if the non-proliferation regime is maintained designed to justify holding back from the third objective in the "Principles and objectives" document?

Pakistan is convinced that the international community can best pursue the imperative of nuclear disarmament in the CD - the only body which exists to conduct multilateral negotiations on disarmament. Nuclear disarmament is an amenable subject for negotiations; and the CD is the appropriate forum where such negotiations should be conducted. If nuclear weapons involved only the five nuclear-weapons States, they would not have brought the CTBT and the FMCT to this body for negotiations. If, as has been asserted, 20 countries possess the capability to build nuclear weapons, would it be reasonable or even wise to exclude them from nuclear disarmament negotiations? I would submit that the star-gazers are those who want this body to wait for START-II and START-III before contemplating any multilateral action on nuclear disarmament.

My delegation believes that the CD should seek to promote at least four important objectives during 1997 and beyond in the context of nuclear disarmament.

First, it is urgent to secure a legally binding international agreement committing all States - nuclear and non-nuclear - to the objective of complete elimination of nuclear weapons. This, we understand, is also the central recommendation of the Canberra Commission. We should be able to adopt a simple, short treaty which would contain such a commitment and an undertaking to pursue "good faith" negotiations to achieve the goal of eliminating nuclear weapons in the foreseeable future.

Second, we must open negotiations on a programme for the complete elimination of nuclear weapons within an agreed and specific time-frame. A group of 28 countries, including Pakistan, have proposed a draft programme in CD/1419. This proposal, and counter-proposals if any, should be the subject of negotiations in the CD this year.

The negotiations we are seeking would be designed to elaborate a programme, to identify the measures which constitute a part of the programme, their inter se priorities and the phases and time-frames within which these

measures would be achieved. In our view, each disarmament measure included in the programme would be negotiated through a mechanism - bilateral, regional, multilateral or global - which is the most appropriate for that specific measure. The nature of that specific disarmament measure would itself indicate the countries whose participation will be relevant in negotiating it.

Third, the CD should also pursue specific measures for nuclear disarmament and non-proliferation. In this context, Pakistan is prepared to commence work on the fissile materials convention. We had welcomed the adoption of the Shannon report which reflected the understanding that the scope of the proposed treaty would be further considered in the ad hoc committee. We would like to be assured explicitly that our concerns regarding stockpiles, especially unequal stockpiles, will be addressed in negotiating this treaty. Else, this treaty, too, will be another measure for non-proliferation only. It would make no contribution to nuclear disarmament.

Apart from the fissile materials convention, there are other measures of nuclear disarmament which can be negotiated in the CD forthwith. These could include a protocol to the CTBT designed to conclusively halt the qualitative development of nuclear weapons. Such a protocol should contain a categorical commitment by the nuclear-weapon States not to improve their nuclear weapons. It could also entail the closure of nuclear test sites and the international inspection of those facilities which have been designed to test or keep nuclear weapons "operational".

Similarly, one or more agreements can be negotiated to remove nuclear warheads from missiles and other delivery systems and place both under internationally safeguarded storage. This would be a significantly rapid way to enhance international security and stability.

The fourth objective in the nuclear arena should be to secure credible, legally binding and unconditional assurances to non-nuclear-weapon States against the use or threat of use of nuclear weapons. Pakistan has consistently pointed out the shortcomings of the assurances so far offered by the nuclear Powers. Now it is clear that even the NPT parties have no guarantee of security against the nuclear threat. The nuclear Powers have reserved the right to determine arbitrarily when and against whom they will use or threaten to use nuclear weapons.

We hope, therefore, that the Ad Hoc Committee on negative security assurances will be reconstituted. It should examine ways and means to reassure all non-nuclear-weapon States against the threat or use of nuclear weapons. These could include technically verifiable commitments by the nuclear Powers not to target their weapons against non-nuclear-weapon States.

Pakistan has often affirmed that while nuclear weapons remain the focus of international concern, we cannot ignore the threats to peace and breaches of the peace emanating from conventional weapons.

Having lived with the long war in Afghanistan, we are fully cognisant of the toll taken by anti-personnel landmines. Therefore, we joined actively in

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the process which led to the conclusion of the revised Protocol II of the "inhumane" weapons Convention. As we all know, the negotiations for a revised Protocol II were complex and difficult. If a complete ban on APLs had been pressed, there would have been no consensus on the revised protocol.

The question before us is: what is the best means of ameliorating and eliminating the suffering and danger posed by anti-personnel landmines? Our view is that the international community should pursue three aims.

One, to secure the widest possible adherence to the new Protocol II. In this context, it is legitimate to expect that two thirds of the States which voted for General Assembly resolution 51/45 S, calling for a complete ban, will, as an indication of their commitment, take the first step of adhering to Protocol II;

Two, we must mount an invigorated programme to eliminate the landmines which have been laid in the past and which are responsible for the 25,000 people killed by landmines last year;

Three, explore, in the CD, the further measures we can take to move towards the ultimate goal of prohibiting anti-personnel landmines without jeopardizing the security of States. We propose that a special coordinator be appointed to conduct such an exploration and evolve appropriate terms of reference for negotiations in the CD on anti-personnel landmines.

The escalating production and acquisition of armaments by some States have created insecurity and instability in several regions of the world. Such imbalance and insecurity also creates incentives for the proliferation of weapons of mass destruction. The attempt to control the transfer of armaments without regard to asymmetries can accentuate imbalance and the threats to peace instead of ameliorating such threats in various regions.

Pakistan believes that, in most instances, the regional approach offers the most effective framework to successfully negotiate agreements for conventional arms control as well as aspects of non-proliferation. The General Assembly has asked the Conference on Disarmament to negotiate "principles" for conventional arms control within the regional and subregional framework. This will make a useful contribution to specific negotiations for conventional arms control in various regions of the world. The Conference on Disarmament should commence this process in 1997.

South Asia has been described as the most dangerous place in the world. Apart from vetoing the CTBT and declaring its nuclear options open, our neighbour is also embarked on massive new acquisitions of offensive weapons and weapons systems. It is proceeding with the creeping deployment of the Prithvi, a short-range, nuclear-capable ballistic missile, whose declared targets include Pakistan's airfields, military formations, oil refineries and factories. No major Pakistani city will be out of reach of this missile. In

case of a presumed attack, our response time will be as short as five minutes. And Pakistan will have to assume that the Prithvi is intended to be a nuclear carrier.

Over the past few decades, Pakistan has been obliged to respond to the escalating steps of proliferation by our neighbour. Perversely, we have faced the brunt of the international reaction for such escalation. Now we hear appeals to us to sign the CTBT. Our friends know very well where this appeal should be directed. Unfortunately, in our neighbour's capital, non-proliferation tigers turn into pussy-cats.

Pakistan has demonstrated extreme self-restraint. This is often taken for granted. In the face of threats from across our border, in face of efforts to erode our capacity for self-defence, we reserve the right to take all appropriate measures to safeguard our national security.

Pakistan has made constructive proposals to address the problems of security, arms control and non-proliferation in South Asia. We hope these proposals will evoke a positive response from the international community, especially our neighbours.

The PRESIDENT: I thank Ambassador Akram for his statement and kind words he addressed to the Chair. I now give the floor to the representative of Algeria, Ambassador Mohamed Salah Dembri.

Mr. DEMBRI (Algeria) (translated from French): Mr. President, since it falls to me to contribute to the current debate begun by the Conference on Disarmament on its agenda and its programme for the present session, allow me first of all to add the voice of the Algerian delegation to all those which have already taken the floor to congratulate you on taking up the Chair of our assembly and assure you of our full support for the success of the work on which we are embarking under your eminent leadership. I would also like to associate myself with all those who have commended the praiseworthy efforts of your predecessor in this role, the Ambassador of Poland, our colleague Mr. Dembinski, and who have expressed the collective gratitude which we owe to the Secretary-General of the Conference and Personal Representative of the United Nations Secretary-General, Mr. Vladimir Petrovsky, his deputy Mr. Abdelkader Bensmail, and all the members of the secretariat for their readiness to help and their kind solicitude. Lastly, the duty of courtesy prompts me to thank all those colleagues who have welcomed me to this forum and assure them that in relations with everyone, my delegation will, as in the past, display a spirit of mutual help and cooperation open to harmonious convergence and positive achievements.

If we consider the diachronic stanzas which have marked the Conference on Disarmament, since its establishment, it is customary for the sessions that appear on its inventory to record two periods of intense animation, more specifically at the opening of the proceedings and on their completion, because they first reveal the obligation to achieve a synthesis in the wealth of adversarial debate and they record in the terminus ad quem the satisfaction of a duty accomplished. Thus it is incumbent on us all, without haste, not

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only to provide our assessments and our positions on the subjects proposed for discussion but also to contribute to establishing an overall synthesis which, arrived at in good faith and responsibly, will certainly promote our joint comprehension of what is at stake in disarmament and enable us to reach - for there is no other option - an approach which is based on consensus, and therefore strong, and therefore resolute.

The agenda of the Conference on Disarmament poses two problems which are closely interrelated: what substantive issues should we include in it, and under what priorities should we begin to negotiate on them and under what organizational arrangements? The positions expressed and the arguments presented on this matter here and there, even when they refer to selectivity or the imperative need for an integrated and global approach, cannot be opposed because their purpose is in fact to bear witness to the vigour of that fundamental text, the famous Decalogue, drawn up in 1978 by the United Nations General Assembly, which undeniably highlights the primacy of nuclear disarmament. And our discussions, in their most immediate topicality, demonstrate the dissatisfaction we feel faced with certain achievements which, while praiseworthy, remain piecemeal in nature because they do not take into account, in a complete and total manner, the aspirations for security and peace of all human societies on our planet.

This is the case, to mention only a few, for the SALT, INF and START treaties, which remain bilateral agreements and do not meet the concerns of the international community as a whole. It is also the case with the NPT, which, while having been extended indefinitely in May 1995, reveals in the wake of subsequent applications, the disappointments and frustrations engendered by the CTBT because, according to the assessment made here in Geneva or in New York by many delegations, it did not take into account the dimension of nuclear disarmament. And if nevertheless many countries did accede to it, including my own, this certainly reflects the conviction and the hope that they attach to the collective and multilateral task of disarmament, as reflected in the advisory opinion of the International Court of Justice of 8 July 1996, which reminded us that all States have an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects, and under strict and effective international control.

Thus one can understand why the United Nations General Assembly has for years been adopting resolutions calling upon the Conference on Disarmament to begin negotiations on nuclear disarmament and, correlatively, the reasons for which here in Geneva the Group of 21 has called on many occasions for the establishment of an ad hoc committee to begin negotiations on a phased programme of nuclear disarmament in order to achieve the final elimination of those weapons in accordance with a jointly agreed and determined timetable. And in fact it was 28 countries, including my own, which, to elucidate their initiative, presented a comprehensive and consistent programme of action which includes the proposals made by various parties for these planned negotiations, without excluding any.

(Mr. Dembri, Algeria)

If I have sought to outline some landmarks on the path we have jointly and collectively followed, it is because three considerations in my view may be formulated on the basis of the conclusions of our discussions. First, there is no one in this room who would deny that nuclear disarmament today is an objective enjoying broad support which has been made a priority by the international community and international public opinion. Secondly, there is no country which would declare today that it is hostile to the achievement of that objective. Thirdly, we all note that the differences lie in approaches and are by no means insurmountable.

Against this background, allow me to defend the global approach which offers us the advantage of being more rational because it avoids piecemeal perceptions, wiser because it allows for the establishment of the balances necessary in any negotiations, and finally fairer because it does not marginalize anyone; quite the contrary, it rejects measures that are not lasting and calculations that are narrow and brings all those involved together in the same creative synergy. For these reasons my delegation considers it necessary, at this stage, to give due importance to the global approach which would integrate within nuclear disarmament an instrument to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, a convention banning their use or the threat of their use, a treaty aimed at their elimination and lastly a convention banning the production of fissile material for military use.

This initiative, advocated by my country, which is strongly convinced of the virtues of multilateral action, will incorporate and at the same time satisfy and illustrate the demands and perceptions of all parties: thus the ban on fissile material will be replaced in its natural framework as a nuclear disarmament measure, the achievements in the area of limiting and reducing nuclear arsenals will be inserted in a multilateral process, the legitimate fears of non-nuclear-weapon States will be taken into account in a binding legal regime which will generate confidence among nations. My country, which is very concerned to achieve consensus in this body and very attached to the virtues of balance, which remains the most effective way of resolving the most complex situations, reaffirms once again that on the eve of the next NPT review conference and the holding of the fourth special session of the General Assembly on disarmament, it is crucial that the CD should respond to the many signals which it has received by addressing the question of nuclear disarmament in a fundamental manner and should give in return the signal which is expected of it by the international community.

I have described here the momentum which was generated in the Conference on Disarmament and outside this forum and which has been given to nuclear disarmament. It would be to everyone's serious disadvantage to break this momentum by directing the work of the CD towards other negotiations, which, however legitimate and necessary they might be, cannot in our view invert the priorities or downgrade them. The need for effectiveness which should be attached to them should be reflected on the functional and organic level. First, on the functional level, an ad hoc committee, with a mandate to negotiate on nuclear disarmament, is in our view the most courageous and the most rational route to take. Negotiations on a convention banning fissile

material would find a place along this path. Next, on the organic level, the focusing of efforts and aspirations on all sides towards the Conference on Disarmament, the sole multilateral negotiating body in the area of disarmament, would give the negotiations greater legitimacy and would consolidate the commitment of all nations towards non-proliferation and nuclear disarmament.

Today the problem does not take the form of agreeing or refusing to negotiate on a given item within the CD. It is located at the level of priorities. We can recognize that any item to be negotiated in the CD is urgent in itself, but we must also say that among those urgent issues there are priorities. Recognizing these priorities would help to give a viable and ordered form to the programme of work which we have to decide on together. This order of priorities, in the view of my delegation, places nuclear disarmament at the heart of the concerns of the Conference on Disarmament, in terms of both conception and negotiations.

In this regard, allow me to quote the voice of authority. The laws of coincidence dictated that on 21 January 1997, the very day when our first plenary session began, Georges Charpak, the distinguished winner of the Nobel Prize for Physics in 1992 and in 1993 and 1994 a member of a panel on strategic weapons established by the French Prime Minister, presented to the press his latest book, entitled Feux follets et champignons nucléaires, which he wrote together with the great American physicist Richard Garwin, a specialist in the area of strategy and nuclear armaments. In an interview he gave to a French newspaper on the same day, the French Nobel Prize winner said that there is a need for huge cuts in the arms-related nuclear sector. He explained that Russian and American negotiators are aiming at a figure of 15,000 strategic warheads in the year 2003, whereas the numbers should fall to less than a few hundred nuclear warheads, which he considers quite sufficient for deterrence. He also emphasized the need to break out of the confusion concerning dismantling, which is presented as a lengthy and costly operation, concealing the fact that nuclear weapons can very easily and quickly be made unusable. Let us thus in our turn maintain the momentum which has thus been generated with the CTBT, and let us place it and consolidate it in its natural trajectory of nuclear disarmament. That is the import of the message that my country wished to present to you today through me.

The PRESIDENT: I thank Ambassador Dembri for his statement and the kind words he addressed to the Chair. I now give the floor to the representative of Japan, Ambassador Kurokochi.

Mrs. KUROKOCHI (Japan): Mr. President, at the outset, I would like to congratulate you on your assumption of the presidency of the Conference on Disarmament at the beginning of its 1997 session. It is a great pleasure for me to see a close Asian neighbour presiding over the Conference, especially so soon after your country became a member. It is fortunate that we can rely on your able leadership at this most challenging time. I can assure you of the fullest cooperation from my delegation. I would also like to express my appreciation to Ambassador Dembinski, the previous President of the Conference, for the exemplary way in which he carried out his important

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functions. I would like to take this opportunity to thank the Secretary-General of the United Nations, His Excellency Mr. Kofi Annan, for his very important address to the Conference this morning. In addition, we are grateful to the Honourable Alexander Downer, the Minister for Foreign Affairs of Australia, for coming and sharing with us the views of his Government. Their presence was an important contribution to the work of the Conference.

Before I commence my statement may I also take a moment to warmly welcome those Ambassadors who recently arrived? Their participation will surely enrich our deliberations.

Last year the international community made significant progress in disarmament, both of conventional weapons and weapons of mass destruction. The most notable, of course, is the adoption after two and a half years of negotiations in the CD, of the Comprehensive Nuclear-Test-Ban Treaty at the fiftieth session of the United Nations General Assembly with an overwhelming majority of support. In addition, among other important developments, I would like to point out the strengthening of Protocol II of the Convention on Certain Conventional Weapons (CCW) and the ratification by the sixty-fifth State enabling the entry into force of the Chemical Weapons Convention (CWC).

Nevertheless, we still have tremendous tasks before us and we must continue to move forward the disarmament process steadily in 1997. One important task is the preparation for the implementation of the CTBT, particularly, the successful start of the work of the Preparatory Commission and the Provisional Technical Secretariat of the CTBT Organization. It is also essential for all States which have not yet done so to sign and ratify the CTBT in order to ensure its universality and entry into force of the treaty without delay. Japan, for its part, is currently making the necessary preparations for its ratification.

With regard to nuclear disarmament, while the CTBT is a historic milestone on the road to a world free of nuclear weapons, we cannot afford to be complacent about this achievement and stop our efforts here. It is indispensable that we take a further step to promote nuclear disarmament, following the indefinite extension of the NPT and the adoption of the CTBT. In this regard, the commencement of the strengthened NPT review process in April has great significance.

While I see no need to explain in detail Japan's well-known position as a strong advocate of disarmament, I would like to take this opportunity to elaborate Japan's views with regard to the tasks of the CD at this critical juncture, namely, the CD agenda and its programme of work in 1997.

Needless to say, the nuclear issue is a matter of major concern in the CD and delegations have expressed a variety of views reflecting different national positions. However, if I may make a simplified observation, there seem to be two different approaches on how to discuss this issue in the CD. One could be called a "blueprint approach", which calls upon, as the first step, an unequivocal commitment by nuclear-weapon States to eliminate their

nuclear arsenals within a prescribed period, and then starts to work on the steps required for its achievement. The other approach might be called an "incremental approach", which tries to steadily accumulate realistic disarmament measures, step by step, with the ultimate goal of achieving a world free of nuclear weapons.

In Japan's view, the possibility to achieve a concrete result lies only in the second approach. We must, taking into consideration the realities of the international security environment, agree on those specific measures which the entire international community, including the nuclear-weapon States, can support. This view was reiterated most recently by Foreign Minister Yukihiko Ikeda at the seminar on "Nuclear disarmament after the indefinite extension of the NPT" held in December last year in Kyoto. Based on this belief, for three years in succession, Japan took the initiative of the United Nations General Assembly for the adoption of the resolution entitled "Nuclear disarmament with a view to the ultimate elimination of nuclear weapons". As Foreign Minister Ikeda stated at the aforementioned seminar, the overwhelming majority of support that this resolution received attests to the widespread acceptance that Japan's basic approach enjoys in the international community.

At this point, I would like to stress that we must renounce the so-called linkage strategy. This approach, in which no agreement is possible on any item unless the CD agrees on the establishment of an ad hoc committee on nuclear disarmament within a time-bound framework, is certainly a recipe for blocking any kind of progress in nuclear disarmament in the CD or for that matter, practically any work in the CD. We should take whatever steps are possible, even if small, so that further progress may be built upon what is achieved. By the same token, although disarmament in the field of conventional weapons is certainly very important, further negotiations on nuclear disarmament must not be discouraged by the lagging progress of conventional weapons disarmament.

Concerning nuclear disarmament, we believe that a fissile material cut-off treaty is, without doubt, a priority in the CD. As paragraph 4 of the "Principles and objectives for nuclear non-proliferation and disarmament" specifies, we should immediately start negotiations on a fissile material cut-off treaty. The three items listed in paragraph 4 under the title of "Nuclear disarmament" in the NPT "Principles and objectives" are the central issues not only in terms of nuclear disarmament but also in terms of nuclear non-proliferation, that is to say, the maintenance of the credibility of the NPT system.

Now that the CTBT has been adopted, the CD, as the sole multilateral negotiating forum on disarmament, should continue to play its role to further enhance nuclear disarmament and non-proliferation. It is still vivid in my memory that, on 23 March 1995, I myself, as the then President of the CD, hit the gavel to mark the consensus decision to establish an ad hoc committee on a fissile material cut-off treaty. Japan strongly appeals to all CD members to establish an ad hoc committee and begin negotiations on a cut-off treaty immediately.

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Having said that, I would like to make one more point clear. We believe that the CD should not limit its discussions on the nuclear issue to a cut-off treaty alone. We should make our best efforts to explore what role the CD could play for the promotion of nuclear disarmament. In this context, I would like to suggest that we consider the possibility of establishing some kind of forum, not necessarily an ad hoc committee, in the CD to exchange views from a wider perspective on how we can best advance nuclear disarmament in the future.

The negotiations on the actual reduction of nuclear weapons have to be conducted between or among the nuclear-weapon States. As paragraph 4 of the NPT "Principles and objectives" states, the nuclear-weapon States should pursue the reduction of nuclear weapons with determination. They must move it forward without cease.

It should not be forgotten, however, that the NPT article VI obliges each of the States parties to the Treaty, not only the nuclear-weapon States, to pursue negotiations on effective measures relating to nuclear disarmament and on a treaty on general and complete disarmament.

Moreover, with their devastating power, nuclear weapons cause catastrophic destruction; they can in an instant take a tremendous toll in human life and destroy the basic infrastructure of a society. In addition, due to atomic radiation, nuclear weapons can also cause the victims who survive an attack itself indescribable suffering which may continue until their death. Since the effects of nuclear war can be global, the whole international community cannot remain indifferent to nuclear disarmament. Rather, it has a legitimate right to be concerned.

Allow me also to say a few words as regards conventional weapons.

The first issue I would like to refer to is anti-personnel landmines, which the former United Nations Secretary General called "weapons of mass destruction in slow motion". In the view of my Government, it is important to take measures in the following four areas: first, strengthening of international restrictions on landmines; second, cooperation for mine clearance activities by the United Nations and other organizations; third, development of technologies for mine detection and clearance; and fourth, assistance for the rehabilitation of victims.

With regard to the last three points, Japan is preparing to convene an international conference at the senior official level in Tokyo in this coming March. We hope that this conference will make a significant contribution to the strengthening of international efforts in these areas.

Regarding the first point, restrictions, Japan supports international efforts toward a global ban on anti-personnel landmines, as Prime Minister Ryutaro Hashimoto announced at the G7 summit in Lyon last June. Furthermore, we co-sponsored United Nations General Assembly resolution 51/45 S, which calls for an international agreement to ban APLs.

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As for the negotiating forum, Japan supports the CD because we attach great importance to the realization of a "global and effective" total ban on APLs. The CD, which is the sole multilateral negotiating body on disarmament with rich experience and expertise, and which has the participation of key countries in the landmine issue, could provide the most appropriate forum for this goal. In addition, it is important for the credibility and function of the CD itself to take up this issue which concerns all humanity. In this context, we warmly welcome the recent announcement made by the United States.

We are aware, however, that achieving a comprehensive ban on APLs in the near future is not an easy task. If it turns out to be very difficult to reach an agreement in the CD to start negotiations on a total ban, it might be more practical, as suggested by the Ambassador of France last week, that we begin with one of the components of a comprehensive ban as a part of a phased approach. For example, we think that the commencement of negotiations focusing on a total ban on the export of landmines would be a good starting-point. According to a UNIDIR Newsletter, virtually all of the landmines in most of the worst-affected nations were provided by foreign sources.

At the same time, we should take advantage of every possible approach to deal with the landmine problem. In this connection, the so-called "Ottawa Process" which started at the Ottawa Conference last year is an important initiative to accelerate political momentum toward a total ban on APLs. While we support having negotiations for a total ban in the CD, we welcome and support Canada's initiative because we regard the Ottawa Process and negotiations in the CD as complementary and not mutually exclusive approaches towards our common goal.

As regards the CCW, the Government of Japan is now making its best efforts to ratify the new Protocol II of the CCW at the earliest possible date. We hope that the Diet will approve the ratification during its current session.

The second issue I would like to refer to is transparency in armaments, in particular the United Nations Register of Conventional Arms. Japan attaches great importance to the United Nations Arms Register as a measure to enhance confidence-building and security among countries concerned. While this system has contributed significantly to the enhancement of transparency in armaments, it should, we believe, be even further developed and strengthened. Here let me recall United Nations General Assembly resolution 49/75 C, which requests the Secretary-General to prepare a report on the continuing operation of the Register and its further development, taking into account the work of the Conference on Disarmament, with a view to a decision at its fifty-second session. As is clear from this, the international community has entrusted the CD to conduct its work on the Arms Register system this year.

Regarding "Regional aspects of conventional arms regulation and disarmament" in the suggested draft provisional agenda/work programme presented by you, we would like to see some clarification regarding, for

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example, how we should take into account the specific security environments of each region, and how we should consider nuclear disarmament in each region in negotiations on conventional weapons disarmament.

In discussing the CD agenda, I would be remiss if I did not express my deep appreciation for your untiring efforts to discharge your challenging task at this difficult time. I would also like to congratulate you on your important initiative to formulate a draft provisional agenda/work programme, which can serve as a good basis for possible agreement. I hope that your efforts will prove to be fruitful so that we have an agreed agenda and embark on a concrete programme of work as soon as possible.

Last but not least, concerning the important question of further expansion of membership, Japan also supports the President's efforts to appoint a special coordinator with a broad mandate and we hold high hopes that the special coordinator will bring about a solution which is satisfactory to all.

The PRESIDENT: I thank Ambassador Kurokochi for her statement and the kind words she addressed to the Chair. I now give the floor to the representative of the United Kingdom, Ambassador Sir Michael Weston.

Sir Michael WESTON (United Kingdom of Great Britain and Northern Ireland): Since this session of the Conference on Disarmament began on 21 January, we have heard forceful calls for negotiations to begin on a total global ban on anti-personnel landmines. I refer in particular to the statements by the distinguished Foreign Ministers of Italy and Australia and to those of the distinguished representatives of the United States and France. Indeed, I prefaced my own statement on nuclear disarmament on 21 January with just such a call for negotiations on a ban on anti-personnel landmines. I also welcomed the United States' decision to seek to initiate negotiations for this purpose here at the Conference on Disarmament.

Of all the issues before us, this is the one that most directly affects most people most immediately. The Red Cross estimates that there are 120 million anti-personnel mines laid across the world. The Red Cross also estimates that one person is killed or maimed by anti-personnel landmines every 20 minutes. Most of these victims are civilians - many are children. There is no question that the reckless and indiscriminate use of these weapons causes appalling and quite pointless suffering.

This plague is a huge and ever-present burden to countries struggling to rebuild. Like many of us, I have seen the problem at first hand. Following the withdrawal of Iraqi forces from Kuwait in 1992, large areas of that country were rendered effectively inaccessible by the mines laid by the Iraqis and the hospitals were full of civilians, mostly children, maimed by these horrid weapons. The memory of those children - many of whom had lost an eye, a hand, a leg or worse - will remain with me always.

Important first steps have already been taken to deal with the problem. The United Kingdom has taken a lead internationally in seeking to control the

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export and use of anti-personnel landmines. We ourselves have a moratorium on the export of all anti-personnel landmines. So too do all our European Union partners. And, in common with many others, we have pledged our support for a total, global ban on these weapons. The time has come to take this forward.

As I said on 21 January, this Conference, with its wide membership, the way in which observers are able to participate fully in its negotiations, and its established position as the sole multilateral disarmament forum of the international community, has clear advantages as an international forum for tackling the roots of this problem and achieving agreement on a worldwide ban. To be effective - and by that I mean to have a significant impact in bringing to a permanent and early end the appalling suffering inflicted by these weapons - an international agreement must include the countries of real concern: the major producers and exporters and those countries which use landmines indiscriminately.

The United Kingdom therefore warmly welcomed the proposal made by my distinguished colleague, the Ambassador of France, at our last plenary meeting on 23 January, for the establishment of an ad hoc committee in the CD to negotiate a ban on anti-personnel landmines. This is a valuable and timely initiative, which the United Kingdom wholeheartedly supports.

As a means of building further on the French initiative, I am today tabling a proposal for a negotiating mandate for such an ad hoc committee.

The text of the United Kingdom's proposed mandate is attached to the copies of my statement which are being distributed. I should like to request that the text of this proposed mandate should be circulated as an official document of the CD.

As our proposed mandate makes clear, the objective of the Ad Hoc Committee would be "to negotiate, for conclusion at the earliest possible date, a universal, effectively verifiable and legally binding international agreement to ban totally the use, stockpiling, production and transfer of anti-personnel landmines". This language reflects, but also builds on, operative paragraph 1 of General Assembly resolution 51/45 S, which was adopted last December with 141 positives votes and no negative votes. We believe, from the support that this objective has received from a wide range of States, both here in the CD and beyond, that there is an increasingly widespread commitment to strive for its achievement.

We are conscious that there may not yet been an immediate commitment on the part of all CD members to negotiate a total ban in one step. We regret this. But we believe that, if we are to make rapid and genuine progress towards the goal which so many of us share, we need to recognize this reality and to find positive ways to address it.

In our draft mandate, we have therefore proposed, as a vital first step towards the objective of the complete elimination of these weapons, the intensive negotiation of a universal, effectively verifiable and legally

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binding international agreement to ban totally the export, import or transfer of all types of anti-personnel landmines as well as of their components and of anti-personnel landmine technology.

Such a ban, or a moratorium, is already observed unilaterally by many countries. If the small number of countries who have not yet taken this step join with us now, we can quickly conclude a global and verifiable agreement. This would achieve two important results. First, it would deliver early, real humanitarian benefits by reducing the scale of suffering from anti-personnel landmines. Secondly, it would help us to press forward to the goal of a total, global ban.

What should be the next steps after the conclusion of an export ban? No doubt like other delegations, the United Kingdom has a number of ideas. But we have deliberately avoided setting these down in the draft mandate. We consider that, in getting the work of the ad hoc committee started urgently, we should not lose time in debating this. It also seems to us that, in the course of negotiations on an export ban, current views may evolve. We have therefore proposed that the ad hoc committee itself should be charged with the task of considering and making recommendations on the next steps.

One further, important aspect of our draft is its recognition that the ad hoc committee will not be working in a vacuum. In particular, the ad hoc committee will need to take account of the work recently completed in the review of the United Nations Convention on the Use of Certain Conventional Weapons, particularly the amended Protocol II, which, of course, is directly relevant to anti-personnel landmines. It will also want to take account of work on anti-personnel landmines which may be taken forward in other forums, such as the "Ottawa Process". The draft mandate clearly provides for this.

Finally, the draft mandate calls on the ad hoc committee to report to the Conference on Disarmament on the progress of its work before the conclusion of the 1997 session. The United Kingdom is always hesitant about setting deadlines or even target dates. But we do believe that it should be possible at least to complete the first step - that is, the ban on exports - and to identify the next steps on the road to a total and universal ban by the end of the current CD session in September.

This Conference, working by consensus, has a unique opportunity to reduce the suffering of innocent civilians and to check the humanitarian catastrophe caused by the indiscriminate and irresponsible use of anti-personnel landmines. We must not delay.

Mr. BERGUÑO (Chile) (translated from Spanish): Mr. President, allow me in this first statement in the 1997 session of the Conference on Disarmament to congratulate you and to thank you and the Secretary-General of the Conference for your suggestions concerning the agenda and programme of work, and to convey to you our best wishes and our fullest cooperation.

Certain comments at the end of the last session reflected deep concern over the future of the Conference as a credible and effective multilateral

(Mr. Berguño, Chile)

negotiating forum in disarmament issues. Confidence in the system is waning. There is a lack of clarity and purpose in the objectives that goes beyond the ritual of the current discussion on the agenda and the programme of work. Fundamental changes on the international scene are calling into question the logic of the group system, the structure, the traditional balance of forces within the Conference; and, above all, its underlying assumptions and outmoded practices. Our Magna Carta was adopted when international relations were relatively structured and fixed. The working methods and procedures which are ordinarily used in the Conference as instruments for decision-making were devised to serve the old order; in the years to come, the challenge will be not only to adjust our strategic thinking to the demise of the East-West dialectic but to come to grips with a security agenda which is more diverse, rich and complex, both in geopolitical and in functional terms. It will place as many demands on our material resources as on our intellectual capabilities.

The key phrase regarding future international negotiations is: the structure and context for the consideration of nuclear disarmament. First, concerning matters of form: we clearly require a broader mechanism, instead of the traditional committee, for the consideration in depth of all nuclear disarmament issues, with a view to identifying those issues which should be earmarked as priority subjects for negotiation. Second, concerning the question of content: more than once I have made reference here to the document introduced by 28 countries of the G-21. It is a well-known fact that Chile is not one of the 28 sponsors of the document in question. We believe that in the current debate two different methodologies are confronting each other in the most sterile manner. One is the Utopian quest for timetables, linkages and stages leading towards the ultimate goal of total disarmament under international control. The other is a pragmatic, astute handling of available opportunities to demilitarize or denuclearize areas or materials that have become obsolete as a result of technological development.

Above and beyond that dichotomy, we abide by a positive and dynamic concept of the disarmament process: relevant Utopias to extrapolate the words of a distinguished American political scientist. Such a concept treats the disarmament process as a global system which is, in turn, an integral part of a historico-temporal security system. Steps in the disarmament process should be taken with a view to gradually modifying the existing correlation of forces, including the demands - however unjustified we may think they are - for nuclear deterrence, for global and regional balances and for the requirements of the global system of collective security. We need to pursue these relevant Utopias and I believe the programme proposed by the 28 countries should be considered in the light of the present international context, but also within the expanding horizon of an international disarmament agenda which is intended to have a decisive impact on the status quo and advance even further the swing of the pendulum in the global security system.

Work has been completed on the Chemical Weapons Convention and the Comprehensive Nuclear-Test-Ban Treaty; the Non-Proliferation Treaty has been extended and enriched with a work programme inspired by its principles and objectives; a decision has been taken to step up work on strengthening the Biological Weapons Convention; and, following the conference to review

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the 1981 Convention on Certain Conventional Weapons, a new process has been initiated towards the ultimate goal of banning anti-personnel landmines. The African and South-East Asian nuclear-weapon-free zones have extended the area previously covered by the Antarctic Treaty, the Treaty of Tlatelolco and the Treaty of Rarotonga.

What is the Conference on Disarmament doing with regard to these important developments in the international disarmament agenda? Your suggestions, Mr. President, incorporate some elements that my delegation believes should be given high priority, both in the agenda and in the Conference's programme of work: the establishment of a broad and flexible mechanism for the review and monitoring of all nuclear disarmament issues; a convention on the cut-off of the use of certain fissile materials for hostile purposes; a convention or protocol to the Space Treaty to prevent the weaponization of outer space (a proposal that was made by Ambassador Moher of Canada); the development of a straightforward mandate for the negotiation of operational procedures to ban the use, production, stockpiling and above all the transfer of anti-personnel landmines (Sir Michael Weston's proposal meets this point); and a convention on binding security assurances, whose negotiation might benefit from parallel work which is to be carried out in the first NPT Preparatory Commission in 1997, where a creative approach is needed in order to take full advantage of the unique opportunity offered in the document on "Principles and objectives".

However, as I mentioned at the outset, although we must take decisive and urgent action on all these specific matters, a broader reform is needed to enhance the effectiveness of the Conference on Disarmament in fulfilling its role. All countries have a shared interest in the success of this endeavour, but the developing nations, whose security depends heavily on respect for international law and on the strengthening of international institutions, have certainly more to gain through a reorganized, strong and efficient Conference on Disarmament. I am sure that this desire is widely shared and also reflects the concerns expressed in the message with which the new Secretary-General of the United Nations honoured us in the wise and inspired words in which he noted that there is no institution on Earth better qualified to translate the universal yearning for peace into negotiated practical measures for enhancing international understanding and the security of all nations.

The PRESIDENT: I thank Ambassador Berguño for his statement and the kind words he addressed to the Chair. I now give the floor to the representative of Sri Lanka, Ambassador Bernard Goonetilleke.

Mr. GOONETILLEKE (Sri Lanka): Mr. President, allow me to congratulate you on the assumption of the presidency of the Conference on Disarmament. Representing as you do the Republic of Korea, a country with which Sri Lanka maintains most cordial ties of friendship and cooperation, you can count upon my delegation's full support in the discharge of the onerous duties cast upon you by the presidency of the Conference. I also take this opportunity to congratulate Ambassador Dembinski, your immediate predecessor, for bringing the 1996 session of the Conference to a successful conclusion.

(Mr. Goonetilleke, Sri Lanka)

May I, on behalf of my delegation, extend a warm welcome to our new colleagues who have recently joined the Conference, namely, the Ambassadors of Algeria, Australia, Bangladesh, Belgium, Mongolia and Venezuela?

I would also like to take this opportunity to warmly welcome the newly appointed United Nations Secretary-General, His Excellency Mr. Kofi Annan, and the Foreign Minister of Australia, the Honourable Alexander Downer, to our midst and congratulate them for the inspiring statements they made this morning.

The year 1997 is full of promise for all of us. It also presents new challenges in the field of international peace and security. Maintaining international peace and security was amongst the driving forces that compelled the establishment of the United Nations Organization 51 years ago. Arms limitation and disarmament thus became the cornerstone of the United Nations agenda for peace and security.

Harking back upon the activities of the Conference on Disarmament based on an annual agenda derived from the so-called disarmament Decalogue of the late 1970s, one finds that much has been achieved but that much more remains to be realized. It is appropriate here to remind ourselves that the Decalogue itself is a direct outcome of the United Nations first special session devoted to disarmament (SSOD-I), which, among other things, recognized the CD as the "single multilateral disarmament negotiating forum". Against this background, we understand and appreciate the position taken by some members that any change in the CD's agenda should be preceded by high-political-level consideration of the matter.

The CD's most recent contribution in the field of non-proliferation and disarmament was the conclusion of a comprehensive nuclear-test-ban treaty (CTBT) late last year. The CTBT has already attracted a majority of the United Nations membership as its signatories. A major step in the direction of nuclear disarmament and non-proliferation, which is enhanced by the indefinite extension of the NPT nearly two years ago, the CTBT should serve as yet another stepping-stone leading to nuclear disarmament. Nuclear disarmament per se has assumed importance of the highest order calling for urgent action, on the one hand, for total elimination of the existing stockpiles of nuclear weapons and for prohibition of the development or acquisition of materials required to build such weapons, on the other. Towards this objective my delegation will seek the early establishment of an appropriate mechanism, preferably an ad hoc committee on nuclear disarmament within the CD. Twenty-eight delegations of the 61-member Conference have, on 7 August 1996, proposed a programme of action for the elimination of nuclear weapons. This proposal and any other proposals on the subject may be examined by the Conference with a view to agreeing upon a mandate and a programme of work for the proposed mechanism.

A fissile material cut-off treaty (FMCT) is our next priority. The Ad Hoc Committee which was set up in pursuance of the Shannon report (CD/1299 of 24 March 1995) should be reactivated, which, inter alia, would take into account the existing stocks of fissile material. Although Sri Lanka has no

(Mr. Goonetilleke, Sri Lanka)

difficulty in agreeing to commence the work of the Ad Hoc Committee immediately, we realize that first there should be an understanding on the full range of items to be dealt with by this body in 1997.

Of extreme importance to my delegation is the question of security assurances - both negative and positive. Nothing short of a multilaterally negotiated and legally binding agreement will fulfil this urgent and most pressing need of the non-nuclear-weapon States. It is to be recalled that the decision on "Principles and objectives for nuclear non-proliferation and disarmament" of the NPT Review and Extension Conference of 1995 concluded that further steps should be considered to assure non-nuclear-weapon States party to the Treaty against the use or threat of use of nuclear weapons. Sri Lanka, therefore, strongly supports the call made by some members for the re-establishment of the Ad Hoc Committee on negative security assurances.

My delegation firmly believes in the importance of maintaining outer space as a weapons-free environment. While recognizing the fact that the arms race in that environment which existed during the cold war era has given way to cooperation for peaceful exploration of outer space in the recent past, we recognize the need to ensure that outer space will never again be used for deployment of space-based weapon systems. It is, therefore, important for the Conference to begin consideration of an international agreement that would prevent weaponization of outer space. Towards this end the Conference would do well to re-establish its Ad Hoc Committee on outer space with an appropriate mandate to commence negotiations.

My delegation has taken note of the developments since the First Review Conference of the States parties to the CCW that concluded in Geneva, May 1996. We have observed the further strengthening of the 1980 Convention by means of an amended Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (amended Protocol II), and the addition of a "Protocol on Blinding Laser Weapons (Protocol IV)".

These developments clearly illustrate that action has been and is being pursued in the appropriate forum by the States party to the treaty. Parallel to such measures, actions have also been pursued by interested countries in their quest for a global ban on anti-personnel landmines (APLs). These give rise to implications for the current Convention itself as well as for the Conference on Disarmament, with the latter being approached with a view to securing its services to conclude an international agreement banning anti-personnel mines. It has even been suggested, perhaps for the first time, that the CD ought to undertake such a task complementing the work that is being done elsewhere by interested parties.

My delegation has taken note of the CCW review process that was under way since January 1995, and concluded in Geneva last May. The States party to the Convention in their wisdom went to the farthest possible extent in order to strengthen and enhance the treaty regime by adopting an amended Protocol II.

(Mr. Goonetilleke, Sri Lanka)

My delegation also notes that there was overwhelming support at the fifty-first United Nations General Assembly for an international agreement designed to ban anti-personnel landmines. The views expressed by national delegations on the subject were indeed of a wide range extending from humanitarian, national security, self-defence to legal considerations. These views cannot and should not be ignored, for they concerned specific interests of individual member States.

However, the Conference has to reach a consensus on whether or not the CD is the appropriate forum to negotiate such an agreement. Given the positions taken by some delegations on this question, it would, no doubt, take a great deal of friendly persuasion in order that a decision be taken by the CD on this issue. So far as Sri Lanka is concerned, my delegation would take a flexible position on the question whether the proposed agreement should be negotiated within the CD or outside it, our cardinal consideration being the substance of the agreement rather than its negotiating forum.

If the past experiences of CD's negotiating process and its working methods are an index, my delegation is of the view that setting a deadline would run the risk of being counter-productive. We must bear in mind that the Conference will have to take into account various positions taken by the delegations in this Chamber as well as at the United Nations General Assembly. Equally important is the need to balance our priorities and apportion the time available to the CD for fulfilling the tasks entrusted to the Conference to be completed in the course of its current session.

Finally, as I said at the beginning of my statement, in this year of promise and challenge, there is bound to be many a peril if we fail to see the wood for the trees. We have to carefully choose our priorities taking into consideration our capabilities and limitations, so that we could decide on how best to utilize our hard-pressed and meagre resources to advantage. In determining the 1997 agenda for the Conference we need to tread slowly but steadily, not abandoning our time-honoured objectives, while at the same time not failing to take into account the sea change that has overtaken inter-State relations in the final decade of this century, thus necessitating the community of nations to take a fresh look at their own peace and security agenda.

If the Conference were to satisfy all of its members, it would end up with ad hoc committees on nuclear disarmament, negative security assurances, fissile material cut-off treaty, prevention of an arms race in outer space, transparency in armaments, anti-personnel landmines and several other subjects. While that may be an ideal situation, we have to admit the fact that such an arrangement will not be practical due to time constraints of the Conference, and personnel problems faced by individual delegations including my own. It is, therefore, necessary for us to agree upon a realistic and balanced work programme bearing in mind the fact that the CD is a negotiating forum and not a forum for deliberation.

(Mr. Goonetilleke, Sri Lanka)

Past experience tells us that the CD can quite effectively negotiate one item at a time. If we stretch ourselves, maybe two, but certainly not more than three items. It is from that point of view that we have to approach the work programme for 1997.

There are several proposals for the agenda/work programme of the CD, including the one submitted by you in your capacity as President of this Conference. Sri Lanka favourably views the division of our work into nuclear weapons and conventional weapons.

With regard to nuclear weapons, in 1995 we had agreed to establish an ad hoc committee on a fissile material cut-off treaty and done some work in the past on negative security assurances under an ad hoc committee established for that purpose. In the circumstances, there should be no difficulty in agreeing on the establishment of one or both of these ad hoc committees. With regard to nuclear disarmament, my delegation would like to ascertain the reaction of the members of the CD to the draft proposal submitted by the Group of 21 for the establishment of an ad hoc committee on nuclear disarmament contained in document CD/1388 of 14 March 1996. Sri Lanka, however, accepts the fact that some groundwork has to be done before the establishment of an ad hoc committee. Initially, this function could be entrusted to a mechanism to be established for that purpose, which could, inter alia, determine the role CD can be entrusted with in the field of nuclear disarmament.

On the other side of the scale is conventional weapons. Sri Lanka is not in a position at present to suggest what specific ad hoc committee should be established to deal with conventional weapons. We would like this to be decided by the Conference. If we can decide on a work programme on the above lines, I am certain that the CD will be able to commence its work soon. If not, the Conference will continue to grope in the dark for many weeks to come.

Let us, therefore, decide to include in the current session's programme of work only those high-priority items for negotiating, allowing the Decalogue to remain on the agenda for the present until such time as the international community is able to focus on it in an appropriate manner.

The PRESIDENT: I thank Ambassador Goonetilleke for his statement and the kind words he addressed to the Chair. I now give the floor to the representative of the Islamic Republic of Iran, Ambassador Sirous Nasseri.

Mr. NASSERI (Islamic Republic of Iran): My congratulations to you, Mr. President, and my deep appreciation to your predecessor, Ambassador Dembinski. A warm welcome also to the United Nations Secretary-General, Mr. Kofi Annan, and the Australian Foreign Minister, Mr. Downer, who have addressed us today, as well as to our new friends and colleagues, Ambassador Mernier, Ambassador Campbell, Ambassador Chowdhury, Ambassador Dembri and Ambassador Bold.

1997 promises to be an eventful year for disarmament. In the area of weapons of mass destruction the Chemical Weapons Convention, concluded not

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long ago at the CD following 25 years of deliberations, will reach its entry into force on 29 April. For the Biological Weapons Convention, a serious initiative has been under way to strengthen the Convention and the negotiation phase is due to commence this year. The first preparatory work for the important NPT review of the year 2000 will be conducted during April. The Provisional Technical Secretariat of the CTBTO, on the other hand, will be established this year to prepare for the implementation of the Treaty. On conventional weapons, the major issue for this year seems to be anti-personnel landmines and the modality for negotiations.

The Chemical Weapons Convention remains the most significant disarmament instrument concluded in the last two decades. With its comprehensive scope, it aims to eradicate an entire class of weapons of mass destruction 10 years after its entry into force. Preparations continue at The Hague for the operational phase of the Convention and the basic foundation has already been laid down. At the same time, discussions continue on a number of key issues with a view to arriving at an agreement before the first Conference of the States Parties.

Despite all efforts, however, it is unclear whether some of these essential elements which were also subject to major debate during the negotiations on the Convention would reach a final conclusion at the end of this exercise. This is particularly true as this last phase of discussions is conducted under serious uncertainties about the future of the Convention.

It has now become evident that the possessors of chemical weapons will not be among the original parties to the treaty at the time of the entry into force. It is clear that the Convention will lose its meaning in the absence of commitment to destroy the existing weapons in accordance with the provisions of the Convention. This is a disarmament convention and should remain as such as the objective of the Convention so stipulates. It cannot be altered after all these years to a convention for non-proliferation.

The major question therefore at The Hague is what to do and which direction to follow. It has become extremely difficult and it seems not possible to find a feasible and practical way to prepare for the Convention. There are major budgetary, administrative and technical implications depending on whether and when the chemical weapons possessors may join. Various scenarios considered so far range from the freezing of implementation to the adoption of a partial and flexible implementation approach all the way to full implementation without regard to the CW possessors and their positions.

The last plenary session of the Preparatory Commission in April will receive a report by the Executive Secretary on the consequences of the non-ratification by the two CW possessors on the Convention and will have to come up with some recommendations to the first Conference of the States Parties. We should of course bear in mind that we all shoulder a major responsibility to preserve the integrity of the Convention for its own sake and for the sake of other disarmament treaties which, no doubt, will be affected by the fate of the Chemical Weapons Convention.

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Efforts towards the elaboration of a verification mechanism, initiated in 1991, have so far progressed steadily in relation to the Biological Weapons Convention. In the last two years the Ad Hoc Group has succeeded in preparing much of the basic elements required for this purpose. This has brought us to a stage where we can move beyond identification and elaboration and pursue the work in the framework of negotiations.

For this, we need a rolling text which we should prepare this year. We also need to adjust our working methods. The modality adopted at the CTBT negotiations can, in our view, be properly applied here by creating two working groups, one on verification, which will deal with declarations, on-site measures, technological cooperation and transfer guidelines in accordance with the mandate, and the other on legal and organizational issues.

These steps, we believe, can elevate the current level of discussions to a new plateau and pave the way towards a successful conclusion of our work.

The pressing issue on the other hand, in this area, is the ban on the use of biological weapons. The exigencies of the cold war and prevalence of confrontational military doctrines at the time of the negotiation of the Convention did not allow the BWC to include a ban on the use of these barbaric weapons alongside the ban on their development, production and stockpiling.

The Biological Weapons Convention does, of course, render their use unlikely and perhaps impractical. The treaty has also been interpreted, by consensus, as banning implicitly the use of biological weapons. But this is too serious a matter to be left with any loopholes, particularly as some countries continue to maintain their reservations to the 1925 Geneva Protocol. The ban on use needs to be explicit and legally binding.

The proposal to amend the Convention to include a ban on the use of biological weapons received wide support during the last BWC Review Conference. The Conference could indeed make a decision to include simple amendments to the title and first article of the Convention. Yet, in order to ensure that the depositaries could bring the proposed amendments to the attention of all parties to the Convention, the Conference decided to solicit the views of States parties through formal correspondence by the depositaries.

Hence, the States parties are expected to inform the depositaries of their positions on the proposed amendments in writing and on the convening of a conference to adopt the decision. We hope that these procedures will be followed quickly in order to avoid any undue delay on this important issue. We have requested the depositaries to communicate with the States parties and seek their specific positions and we hope that the parties will respond at the earliest possible time.

NPT 2000 is the first review conference following the indefinite extension of the Treaty. The Conference will not only review the operation of the Treaty but will also examine how effectively each and every provision included in the consensus document of "Principles and objectives" has been observed and acted upon.

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With the CTBT already in place other elements such as universality, cut-off, NSA, nuclear-weapon-free zones, safeguards and compliance, peaceful use, export controls and, of course, nuclear disarmament set the benchmarks to assess faithful implementation of the Treaty. Preparations for the Conference during the next three years would have to move quickly past procedural matters on to substantive issues.

Removing the whole stockpile of nuclear weapons has remained the predominant objective among all disarmament activities. Nuclear disarmament is not the private and exclusive domain for the two or five nuclear-weapon States. All States are concerned, are affected by its implications, have the right to be involved and should be able to exercise this right.

Various studies from respectable independent sources have concluded that adoption of a phased programme for nuclear disarmament with a timetable is feasible. Some have suggested specific programmes. The paper presented to the Conference by 28 States last year also presents a series of measures which will lead to nuclear disarmament within three time-bound phases.

Prohibition of use, in this context, should particularly be subject to early consideration. With the end of the cold war, no justifiable arguments could be raised in favour of the use of nuclear weapons under any perceivable circumstances. Development of a protocol similar to that of the 1925 Geneva Protocol on chemical weapons and biological weapons should not require exhaustive work or extensive negotiations. This is one important and real step that we can quickly embark upon.

It seems more difficult on the other hand to pursue efforts at the global level in the area of conventional disarmament. The prevailing practices have primarily been based on regional approaches, some of which have been successful and could serve as models for others.

Transparency in armaments tends, in part, to deal with aspects of conventional disarmament which can be negotiated internationally. Transparency will be an essential element of any measures in conventional disarmament just as it is for weapons of mass destruction. The functioning of the United Nations register will be reviewed this year. We hope that we can agree soon on how to contribute to this review and how to proceed on other interrelated aspects of the issue.

Attention has been focused in recent years on the tragic sufferings of civilians from anti-personnel landmines. There seems to be a growing mood that what has been accomplished in the context of the CCW negotiations is not sufficient. This is a humanitarian issue and will remain so at all times. Yet elimination of anti-personnel landmines is not a simple task and will not come about overnight. A major issue at hand is how to deal with over 120 million mines already laid under the ground. It will require a firm, solid and binding commitment by all States before one could even hope that the vast number of mines be cleared within decades.

At the same time a large number of countries consider the military aspects of landmines as indispensable and are not prepared or able to do away

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with these weapons without suitable alternatives in place. The disarmament aspects of anti-personnel landmines therefore prevail in further negotiations in the area.

The Conference should in principle be able to deal with all the issues relevant to its mandate. This means that no issue should be discarded except if it is dealt with extensively elsewhere within other international structures specifically established for that purpose. This is a basic, logical approach that we should adopt in considering the agenda of the Conference.

If, on the other hand, we decide to choose and select on what has priority and what has not, what is feasible and what is not and what may or may not be ripe for negotiations we are bound to be entangled, once again, in lengthy discussions which we all agree are wasteful for the Conference and the time and resources allocated to it. It is true that some issues have gone through more conceptual, technical and political preparations. But this does not mean that others should be excluded. It can only mean that they too have to be brought and maintained under focus to reach the same levels of preparations and to move beyond.

We are thankful to Mr. Petrovsky and the President for their attempts to propose a balanced agenda that includes the most significant issues that have been of interest to the members of the Conference and to the international community. If we keep an open mind devoid of unbridled selectivity, it is not hard to realize that every one of them is feasible, every one is a priority and every one is ripe for negotiations. I hope we can all make a real and sincere effort to agree on the agenda and organization of work of the Conference and start the actual work real soon.

The PRESIDENT: I thank Ambassador Nasseri for his statement and the kind words he addressed to the Chair. That concludes my list of speakers for today. Does any other delegation wish to take the floor at this stage?

As I announced at the beginning of this plenary meeting, I should now like to take up for decision the requests from Saudi Arabia, the Philippines, Jordan and Swaziland to participate, as observers, in the work of the CD during 1997. These requests are before you under a covering note from the President in document CD/WP.481. May I take it that the Conference agrees to these requests?

It was so decided.

The PRESIDENT: The next plenary meeting will be held on Thursday, 6 February at 10 a.m.

Before adjourning this meeting, I should like to inform you that we shall start the series of informal plenary meetings devoted to the agenda and organization of work for the current session this afternoon at 3.30 sharp in this room.

The meeting rose at 12.45 p.m.

# CONFERENCE ON DISARMAMENT

The PRESIDENT: I declare open the 754th plenary meeting of the Conference on Disarmament.

I have on my list of speakers for today the representatives of Spain, the Syrian Arab Republic and Canada.

Before giving the floor to our first speaker today, I should like to inform you that the United Republic of Tanzania has requested participation in our work during this session as an observer. With your concurrence I should like to take up this request for decision at the end of this plenary meeting, without going into an informal meeting.

I now give the floor to the representative of Spain, Ambassador Martinez Morcillo.

Mr. MARTINEZ MORCILLO (Spain) (translated from Spanish): Mr. President, I would like my first words to convey to you our congratulations and our pleasure at seeing you guiding this Conference on Disarmament. The meetings that have been held since the Conference resumed its work just a few weeks ago have more than adequately confirmed your gifts as an energetic leader of our work with impartiality and skill. The delegation of Spain also wishes to convey its greetings and esteem to the Secretary-General of the Conference, Mr. Petrovsky. We also wish to place on record the appreciation with which we are following the work of the Deputy Secretary-General, Mr. Bensmail, and to extend our gratitude and appreciation to him.

Once again in its history, the Conference on Disarmament is at a crossroads which calls for a decision of fundamental importance for its future. In recent years the Conference on Disarmament has concluded the negotiation of two basic instruments in efforts to combat weapons of mass destruction, chemical weapons and nuclear weapons. We think that with such achievements behind it, the Conference must of necessity face its future with the twin approach of pursuing a line of action on which it has already embarked and adding to it in the light of the elements that it has before it and the international circumstances in which it is placed. The fact that Spain has joined the Conference on Disarmament only recently, and that it has done so at a time when the Conference must chart a new course, offers grounds for me to outline very briefly the main elements which will serve as a foundation for of our participation in the work of the Conference, and hence our policies within it. We have always proceeded from a delimitation of the Conference on Disarmament, but the fact that this has been repeated and reiterated so many times in this Francisco de Vitoria chamber, where we are now, which is a source of pride and encouragement for Spain, does not detract from its status as a mandatory and indispensable starting-point for any political action in the ambit of the CD.

The Conference, as has been said many times, is the sole negotiating body on disarmament issues that exists in the institutional context of the United Nations. For us this means two things: first of all, that it is a negotiating body, and therefore its cardinal objective is to negotiate specific legal instruments; second, that these negotiations are conducted in

(Mr. Martinez Morcillo, Spain)

the institutional framework of the United Nations, thereby respecting the deliberative or decision-taking functions that in normal circumstances are carried out in other United Nations bodies. It was the make-up of the Conference on Disarmament, thus defined and demarcated, which led Spain to knock at its doors for very many years, doing so with patience but also with stubborn determination. The same definition and context continue to underlie Spain's position at the current stage in the Conference's proceedings. Therefore, Sir, my delegation welcomes the decision you took to initiate the holding of informal plenaries with a view to reaching agreements for the establishment of ad hoc committees that can get down to work on specific subjects. Therefore, my delegation also welcomes your decision to pursue these consultations and your work in the shape of the informal plenaries that we will be initiating today.

The position of my delegation as we put flesh on the bones of the agreement is the following. We proceed from the view that the Conference on Disarmament, within the context of a balanced approach to the realities and the pressing issues of the present international political moment, must devote its attention both to conventional weapons and to weapons of mass destruction. With regard to the latter, for my delegation there is a subject to which it attaches priority and which we believe is in keeping with the present stage of nuclear disarmament in the path to general and complete disarmament. Nevertheless, as the process of reduction and control of nuclear weapons has shown, their elimination cannot be achieved by means of maximalist positions and the establishment of rigid deadlines, but rather through specific steps and measures that, in a cumulative way, involve major qualitative changes in the progressive elimination of nuclear weapons. Any other strategy, we believe, is doomed to failure. Consequently, we must address the nuclear issue so that it will bear fruit in "realistic" terms, acknowledging that it is a process that will necessarily unfold in stages.

The Conference on Disarmament has just concluded the negotiation of the Nuclear-Test-Ban Treaty, so that the logical consequence of the momentum that has been launched is that the next, complementary step will necessarily be negotiations on a treaty for the prohibition of fissile material for nuclear weapons or other nuclear explosive devices, in other words, what is known in our jargon as the "fiss ban" or "cut-off". If the negotiation of such a treaty is the logical consequence of the fact that the process for the signature and ratification of the Nuclear-Test-Ban Treaty has been initiated, the preference that we attach to it is recommended or even imposed by the fact that this Conference has already managed to agree on a mandate in this area and that all that is needed is for the appropriate ad hoc committee to be set up. We are not unaware of the fact that the negotiation of a treaty of this nature is going to be fraught with difficulties, and the proof of this lies in the difficulties that have already arisen, which prevented the establishment of the ad hoc committee in the past. But equally I believe that no one can be unaware that the signing of the Nuclear-Test-Ban Treaty would somehow be incomplete if we do not seek to create a legal instrument that would solve one of the problems that in the natural course of events is going to crop up sooner or later, a problem that has already arisen in the International Atomic Energy Agency in connection with the possession of surplus fissile material.

(Mr. Martinez Morcillo, Spain)

A moment ago we spoke of realism in opting for a subject that is ready for negotiation by this Conference. The end of the cold war in nuclear matters has created many new problems which have arisen with inevitability and for which urgent solutions are needed. They include for instance, the security of power plants, illicit trafficking in nuclear material, the strengthening of the safeguards system, etc. Each of these is being dealt with in the appropriate forum. Spain is of the view that the prohibition of fissile material, because of the characteristics of the subject, should be a question to be considered, as a matter of the highest priority, in the Conference on Disarmament.

With regard to conventional weapons, my delegation also has a very clear priority: anti-personnel landmines. We do not believe it is necessary to dwell in great detail on reiterating Spanish policy in this matter, which has focused on three elements: the commitment to join in efforts leading to the prohibition of such weapons, a commitment which is currently taking the form of our associating ourselves with the most recent steps taken by the international community in this regard, for which purpose the procedures have already been initiated in Spain for the signature and ratification of Protocols II and IV to the 1980 Inhumane Weapons Convention which were adopted at the end of 1995; secondly, the moratorium on the export of anti-personnel landmines, where Spain has always been in the forefront of national decisions taken in this respect, and which is currently being incorporated in the terms of the most recent joint action agreed upon by the European Union; and lastly, the twofold contribution to mine clearance efforts that Spain is making through its participation in the European Union's activities and its bilateral training programmes in clearance.

The question has been raised before this Conference on Disarmament of whether or not it is this body that should initiate negotiations on this subject in view of the initiatives already adopted outside this forum. Up until now the reasons in favour of one or the other solution have been presented many times and in many places, and specifically before this Conference. Needless to say, my delegation concurs with those delegations that support the Conference as the appropriate place for negotiations in the sphere of mines. But the most curious thing is that when we hear the arguments against this Conference and in favour of other processes that have already been initiated, while sharing many of the concerns expressed in them, we reach the conclusion that those reasons combine to argue in favour of choosing this Conference on Disarmament. And this is the case in view of the three indispensable conditions which we believe should be met if we wish international action in this area to be effective. These conditions, which we may with to enlarge upon later in greater detail, are those of verification, phasing and universality. Only a step forward which is based on the requirements of universality and implementation of the final objectives sought in successive and progressive phases currently enjoys the necessary guarantees for arriving at results which are effective and genuine, and - I wish to add - universal and general in scope. It is precisely this requirement of universality, which is the fundamental argument in favour of this Conference

(Mr. Martínez Morcillo, Spain)

on Disarmament, that prompts us to adopt an equally clear position on another of the items that the Conference has before it. I refer to the possible further expansion of its membership.

The fact that Spain had to wait patiently for many years, in circumstances that were not always easy, before its membership of the Conference became a reality, means that we are especially alive to the interests of other countries which have made such a request. Therefore, and regardless of the decisions that may be adopted at some stage with regard to the expansion issue, we also support the idea that observer delegations that have expressed a wish to join in the work of the Conference should be able to participate in it in one way or another. In that way the Conference on Disarmament would meet the requirement of universal representativeness that its own nature demands.

The PRESIDENT: I thank the representative of Spain for his statement and for the encouraging remarks addressed to the Chair. I now give the floor to the representative of the Syrian Arab Republic, Mr. Orfi.

Mr. ORFI (Syrian Arab Republic) (translated from Arabic): Mr. President, it gives me pleasure at the outset to congratulate you on behalf of the delegation of the Syrian Arab Republic on your assumption of the presidency of the Conference at the start of the 1997 session. We are convinced that your diplomatic skills and experience will assist us greatly at this difficult stage. It also gives me pleasure to thank your predecessor, Ambassador Dembinski, who presided over our work during the final part of the previous session.

Since the end of the Second World War and the appearance of the spectre of the cold war, the world has lived under the shadow of terror of nuclear war after it witnessed the historically unprecedented scale of the tragedy which afflicted the two cities of Hiroshima and Nagasaki. Nuclear terror once again took hold of the world during the missile crisis and after the Chernobyl tragedy. After the end of the cold war, hope was born but did not come to fruition. The hope was that the world had entered a new phase of its history; a phase in which the logic of justice and peace would prevail over the logic of hegemony and war and in which States would be guided by the principles of the Charter of the United Nations, which stipulated that all Members of the Organization would refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State. The peoples of the world were also optimistic that the new phase of their history would be the one which would witness the total elimination of all kinds of weapons of mass destruction, in particular nuclear weapons. Despite the fact that the probability of the occurrence of a nuclear confrontation has now diminished, the nuclear threat, regionally and globally, still exists and still threatens the future of mankind. This threat will not be completely dissipated unless it is dealt with in a serious and comprehensive manner.

Syria believes that issues of disarmament must be addressed in a comprehensive and equitable manner. Syria also believes that all the steps

which have been taken in the field of disarmament will not attain the desired goals unless comprehensive nuclear disarmament is achieved. Syria has therefore endorsed the programme of work on the elimination of nuclear weapons which was submitted by 28 member States of the Group of 21 in August last year. This programme is both objective and comprehensive. It achieves the objective of the peoples of the world to live in a world free of nuclear weapons. One of the priorities of the programme is the early adoption of a binding international instrument which provides unconditional and legally binding safeguards for all the Member States which do not possess nuclear weapons in order to protect them against the use or the threat of use of nuclear weapons.

The advisory opinion issued by the International Court of Justice on 8 July 1996 considered that the threat or use of nuclear weapons is contrary to the rules of international law applicable in armed conflict, and in particular the principles and rules of humanitarian law, and that all States have an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under effective control. Therefore, we are of the opinion that the Conference on Disarmament must respond to the request made by the United Nations General Assembly in resolution 51/45 O for the establishment, on a priority basis, of an ad hoc committee to commence negotiations on a phased programme of nuclear disarmament and for the eventual elimination of nuclear weapons within a time-bound framework in the manner advocated in the Final Document of the first special session of the General Assembly on disarmament and in accordance with the programme that was submitted by the Group of 21 in document CD/1419. In this respect, we would like to voice our concern at the mounting constraints imposed on the acquisition of the material, equipment and technology that developing countries need in order to be able to use nuclear energy for peaceful purposes. These constraints are imposed through the imposition of an export monitoring system which hampers economic and social development in developing countries. We believe that we must devise mechanisms to allow the transfer of technology and cooperation in the peaceful uses of nuclear energy.

Although we feel great pain when we see the human suffering caused by anti-personnel landmines in some parts of the world where those mines have been misused, for many States those mines are still a legitimate weapon to defend their security and their borders in the face of more lethal weapons. Hence, we have the right to ask the following question: What is the issue to which priority should be accorded in the Conference on Disarmament? Is it the question of the mines which have caused the deaths of thousands of people, or is it the nuclear weapons which the advisory opinion of the International Court of Justice regarded as having a destructive power that cannot be contained in either space or time because nuclear weapons have the potential to destroy all civilization and the entire ecosystem of the planet?

One of the hotbeds of tension in the world is the Middle East. Of all the regions, the Middle East could possibly be said to be the most tense. When the Madrid Conference was held, the predominant hope among the Arab States in the Middle East was that the future would be better than the past; a

(Mr. Orfi, Syrian Arab Republic)

future in which occupied lands would be restored to their rightful owners, a future in which a just and comprehensive peace would prevail instead of aggression and of war. However, approximately six years after the Madrid Conference, this hope is fading. Israel is still refusing to withdraw from all the Arab territories which it occupied in 1967 and is still refusing to apply the relevant Security Council resolutions and the principle of land for peace which formed the basis of the Madrid Conference. Furthermore, the peace process on both the Lebanese and the Syrian tracks has been frozen for almost one year because of the fact that the Government of Israel has reneged on the commitments and pledges that it made during the negotiations which were held with the previous Government. Those commitments are necessary for the resumption of negotiations in order to reach a just and comprehensive peace under which Israel would withdraw from the occupied Syrian Golan to the 4 June 1967 borders in accordance with the United Nations resolutions and the principles on which the Madrid Conference was based, and also from occupied southern Lebanon and the western Bekaa under the terms of Security Council resolution 425. We would like to recall in this respect that His Excellency President Hafez al-Assad of Syria has stated that, for Syria, peace is a strategic option the achievement of which depends on the Israeli party's commitment to international law.

Matters are becoming even more complex and tense in the Middle East due to the fact that Israel, which is the only State that possesses nuclear weapons in our region, is insisting on retaining its nuclear arsenal. In this respect we would like to voice our deep concern at the continuation of the Israeli nuclear programme outside the international non-proliferation system and at Israel's refusal to accede to the NPT or to place its nuclear installations under full IAEA safeguards in spite of the numerous United Nations resolutions calling on Israel to do so. This refusal on the part of Israel poses a threat to regional security, undermines the credibility and universality of the Non-Proliferation Treaty and constitutes a grave and unacceptable imbalance that jeopardizes the security and stability of our region. In this connection, I would like to point out that the fact that some have been supporting the illogical Israeli pretexts to justify non-accession to the Non-Proliferation Treaty is not helping to solve the nuclear problem in the Middle East; on the contrary, it is making the problem more complex. It is strange that Israel is being given gratuitous pretexts in order to be able to retain its nuclear weapons while there is an uproar when any Arab State acquires or even tries to acquire legitimate conventional weapons in order to defend its security and territorial integrity in accordance with the terms of the United Nations Charter.

The Syrian Arab Republic has always made every endeavour to support the relevant United Nations resolutions concerning disarmament in keeping with the principle of strengthening international peace and security throughout the world in accordance with the purposes and principles of the United Nations Charter, in particular the need to refrain from using force or the threat of force and the need to respect the independence and territorial integrity of States and the right of peoples to self-determination and freedom from foreign occupation. In this context, and within the general perspective of full and comprehensive disarmament, Syria was one of the first States to

accede to the Non-Proliferation Treaty and, in 1992, signed its safeguards agreement. It has repeatedly expressed its support for the establishment of a nuclear-weapon-free zone in the Middle East. Syria was also the first country to officially propose, in the Paris Conference on Chemical Weapons in 1989, that the Middle East should become a zone free from all chemical, biological and nuclear weapons of mass destruction. Syria will do its utmost at the Conference on Disarmament to address questions of disarmament, particularly the question of nuclear disarmament, in order to provide coming generations with a world in which peace and justice will prevail, in which stability and prosperity will be enjoyed by all, and in which peoples will forget that dark period in history when mankind lived under the nuclear terror.

The PRESIDENT: I thank the representative of the Syrian Arab Republic for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of Canada, Ambassador Moher.

Mr. MOHER (Canada): Mr. President, it is a pleasure to participate in our deliberations once again under your skilful presidency. I would like to make, if I may, one or two preliminary comments before I address landmines in particular. We, on 21 January, gave our initial comprehensive statement on the issues before this body and we sincerely applaud and support your efforts to build on those and other views in the intervening days.

On Tuesday, we commented further on cluster 1, "Nuclear weapons", and during that intervention repeated our view that a mechanism or mechanisms to deal realistically and substantively with nuclear disarmament issues and to negotiate fissile material "cut-off" on the basis of the Shannon report will be necessary to break the log-jam in our efforts to find a realistic work programme in 1997. We firmly believe that certain key countries will have to agree to find a compromise in that regard and we encourage you, Mr. President, to continue your diligent efforts and we certainly welcome other creative, positive ideas to move us forward to that end. This is not just an effort on our part to find some kind of mindless compromise: it is our national view that nuclear disarmament issues should, and can, be considered substantively in this forum.

On Tuesday, we signalled that we would have comments on the other focus issue emerging in our deliberations, that is, anti-personnel landmines. Given that a proposal was made in the formal plenary on 30 January, we wish now to address this subject in more detail. As indicated, we made our views known on the general issue of anti-personnel mines in the Conference on Disarmament in our statement on 21 January. Those views stand.

Several developments, both in the CD and on the margins thereof, suggest however that some further comments at this point are in order.

Canada's starting-point on this issue is well established; that is, AP mines constitute a humanitarian and economic scourge with thousands of innocents killed and maimed each year.

(Mr. Moher, Canada)

In our view, use is the problem and it is the use of AP mines which must be urgently addressed.

As the International Committee of the Red Cross study on the military utility of AP mines concluded, in modern conflicts, mines have rarely been used correctly, whether by "developed" country armies, third world armies or insurgents.

Thus Canada has set itself a straightforward objective: a legally binding agreement in 1997 to ban the production, stockpiling, transfer and, particularly, the use of AP mines.

We are working diligently with others to that end and have invited all who can to join us in a mechanism - the so-called Ottawa Process - designed to attract as much support as possible.

We, and a growing number of countries from every region, are committed to this "fast-track" approach. Work on this track will begin within a week from now in Vienna and will proceed without interruption until a successful conclusion later this year.

Let me now turn to the CD as a forum for dealing with this issue.

We acknowledge those who wish to pursue the AP mine issue in the CD; we acknowledge that the CD has unique strengths and capabilities; but we reject any suggestion that it is the only acceptable mechanism in which to work.

Moreover, we have made clear our sole criterion as regards any APM work to be done in the CD, i.e. that it be complementary to, and mutually reinforcing of, the Ottawa Process.

At the United Nations General Assembly in December 1996, 156 countries called on the international community to "pursue vigorously an effective, legally binding international agreement to ban the use, stockpiling, production and transfer of anti-personnel mines with a view to completing the negotiations as soon as possible".

The United Nations General Assembly resolution did not specify the forum. It also did not require that the agreement be "universal". While our ultimate objective is universality, we recognize that this goal is not immediately achievable. Our first priority is to set a new international norm against these weapons. Once this is established, we will set about the task of promoting its universality.

The United Nations General Assembly resolution also did not specify that the agreement be "effectively verifiable". This is because there is a widespread recognition that, in the case of AP mines, complete verifiability is neither achievable nor necessary.

(Mr. Moher, Canada)

Further, we do not believe that a lengthy step-by-step approach, beginning with a ban on transfers, responds to the humanitarian urgency which impelled 156 countries to vote for a resolution calling for a total ban.

Transfers of AP mines have already been dramatically reduced over the past several years through unilateral action by approximately 70 States.

There are almost 100 million AP mines in national stockpiles and most nations have the rudimentary technology necessary to produce such mines. As a result, even with a ban on transfers, tens of millions of new mines can continue to be deployed.

This brings us to the proposal by the delegation of the United Kingdom in this plenary on 30 January.

Let us be absolutely clear: if other members of the CD wish to establish and direct an ad hoc committee to negotiate an effective, legally binding international agreement to ban totally the export, import or transfer of all types of APMs, Canada will not object.

And, if other members of the CD conclude that such a specific agreement to be negotiated here must have an even more inclusive scope, we are prepared to discuss that although we must admit to considerable reservations as to achievability.

But, what we must emphasize is that we have major difficulty in accepting the packaging of that core idea as presented in the United Kingdom proposal; additional elements therein are, in our view, designed to advance a particular perspective as regards the broader substance, process and priorities of addressing the APM issue which is counter to our views as already set out.

In conclusion, let me make two points: if it is the will of this body to pursue the issue of AP mines, Canada will not oppose it; but we will strongly oppose any initiative which does not reinforce or complement the ongoing work of the Ottawa Process or which delays unduly the establishment of the urgently needed norm against AP mines.

As Canada's Foreign Minister, Lloyd Axworthy, said on 31 January:

> "I have made the campaign against AP mines one of my top priorities ... It is my belief that the value of the Ottawa Process will speak for itself: a flexible, open and effective process that delivers concrete and speedy results. A process that holds out real hope for banning these weapons within months, not years or decades. A process that responds to the humanitarian imperative for action".

The PRESIDENT: I thank Ambassador Moher of Canada for his statement. This concludes my list of speakers for today.

(The President)

As I informed you at the beginning of this meeting, I shall now take up for decision the request for participation in our work during 1997 received from the United Republic of Tanzania. This request is contained in document CD/WP.482, which is before you. May I take it that the Conference agrees to this request?

It was so decided.

The PRESIDENT: Before adjourning this meeting, I should like to inform you that I intend to convene, in 15 minutes' time, an open-ended Presidential consultation in this room with simultaneous interpretation. You may recall that, at the end of the second informal plenary held on Tuesday, 4 February, I made known my intention to convene Presidential consultations in room I for the purpose of having more focused and more intensive discussions on the selected items which emerged as the items having received the most attention during the course of the two informal plenaries, namely: fissile material cut-off, nuclear disarmament, anti-personnel landmines and, of course, any other items as appropriate; and also the draft annual agenda for 1997 per se. As for the venue of such open-ended Presidential consultations, reflecting the request from some delegations for the provision of interpretation, I decided to use this Council Chamber with the simultaneous interpretation provided. As I informed all delegations through the group coordinators who participated in the Presidential consultations yesterday afternoon, I intend to hold three consecutive sessions of open-ended Presidential consultations, each of which will be devoted to a fissile ban convention, nuclear disarmament, anti-personnel landmines and other items as appropriate. This morning's session, which will start in 15 minutes' time, will be devoted to discussing the fissile ban treaty. A second session, to be held at 10 a.m. on Tuesday 11 February, will be devoted to discussions on nuclear disarmament. A third session, to be held at 3 p.m. on the same Tuesday, will be devoted to anti-personnel landmines and, time permitting, the third session will also be devoted to other items as appropriate and the agenda per se. Of course, the planned three sessions may be extended or reduced depending on the time consumed by the discussions. At the end of such open-ended Presidential consultations, depending on and on the basis of the outcome of such consultations, I hope I will be in a position to propose the next course of action for the Conference on Disarmament.

Having said this, I now give the floor to Ambassador de Icaza of Mexico.

Mr. de ICAZA (Mexico) (translated from Spanish): My delegation is grateful to you, Mr. President, for the efforts you are making so that we can organize our work and reach agreement on the agenda. My delegation naturally supports the President in his efforts to organize whatever consultations he wishes to conduct. However, my delegation does not consider that the question of mines has been agreed as an appropriate subject for discussion in the Conference on Disarmament or negotiated, and if there is to be a special meeting of any consultative machinery on this subject, my delegation will not participate. Mines have no role to play here.

Mr. AKRAM (Pakistan): My delegation fully concurs with your desire to accelerate the work of the Conference so that we can get down to substantive negotiations on agreed subjects in the very near future. However, I must confess that the proposal which you have presented this morning for a schedule of work in informal consultations by the President is a procedure which we have not been officially informed of and which, we believe, would require the concurrence of the Conference before we can proceed along the lines that have been proposed.

In the informal meetings of the plenary which have been held over the past week, it was pointed out, if I recall correctly, by the Ambassador of the Russian Federation that we must adhere to the rules of procedure with regard to the adoption of the agenda and the work programme of this Conference. He had drawn attention to rules 27, 28 and 29, which relate to the adoption of the annual agenda and work programme of the Conference on Disarmament. Yesterday, the Group of 21 met, considered the situation and authorized its coordinator to convey to you, Mr. President, the position of the Group. I believe that position was conveyed to you in the Presidential consultations. So far, we have not been informed by the Group Coordinator of the results of the consultations held by you yesterday. I believe that the appropriate procedure would be that group coordinators report to the groups, for the groups to consider your proposal, for the evolution of a consensus on the process that we will follow and thereafter we can go into the agreed process.

As far as my delegation is concerned, I would submit that the correct procedure would be, firstly, to agree on the annual agenda of the Conference and, once we have agreed on the annual agenda, we can then go on to try and identify what are the subjects on which negotiations can be convened this year. My delegation, for one, attaches importance, firstly, to nuclear disarmament; secondly, to negative security assurances; and, thirdly, to regional conventional disarmament. These are the three issues on which we have made specific proposals. We would like to see these discussed. I have no problems in discussing any other issue, since my delegation has taken clear and categorical positions on each of the subjects that have been proposed. But I believe that we must proceed in accordance with our rules of procedure and the rules are very clear. Let us first adopt our agenda and thereafter look at the work programme. And this must be done with the concurrence of this Conference.

Mr. ZAHRAN (Egypt) (translated from Arabic): Mr. President, I would like to assure you of our total cooperation with you so that we can start our work in a manner which will enable us to speed up the discussion of the various subjects which enjoy priority at the CD. During the informal consultations, the delegation of Egypt had previously mentioned the fact that, in accordance with the rules of procedure, it would be preferable for the agenda to be adopted first. The delegation of Egypt had also pointed out that it would be possible to take into account the previous agenda which was reflected in the report of the Conference on Disarmament while deleting the first item which relates to the nuclear test ban, adding to this agenda any new item that enjoyed consensus and inserting nuclear disarmament as a separate item. Any new item that enjoyed consensus would not meet with our

(Mr. Zahran, Egypt)

opposition. Following the adoption of the agenda, we could start discussing the programme of work and the priorities which should be set for the CD as regards the negotiations which are to take place during this session. While saying this, we also welcome your proposal to hold extended consultations although we had hoped to be able to discuss this within the framework of the regional groups and the Group of 21. I agree with my colleague, His Excellency Ambassador Munir Akram, that we have not yet been informed of what happened in the Presidential consultations yesterday.

In principle, the delegation of Egypt has no reservations concerning your proposal to hold consultations on the items to which you have referred. We have reservations only as regards separating the item on the prohibition of the production of fissile material and the item on nuclear disarmament. We consider that this item is a sub-item of nuclear disarmament; in other words the "fissile ban" or "cut-off" (prohibition of the production of fissile materials) could be discussed as a sub-item of nuclear disarmament. The same applies to nuclear security assurances, the prevention of nuclear war and the nuclear arms race. All these are considered as sub-items, particularly as the decision on "Principles and objectives" which was adopted by the NPT Review and Extension Conference referred to the prohibition of the production of fissile material as one of the items which should be discussed within the framework of nuclear disarmament. It also mentioned the fact that security assurances for non-nuclear States against the use or threat of use of nuclear weapons should be the subject of negotiations within the framework of a multilateral and legally binding international instrument. I am saying this because it falls within the framework of nuclear disarmament and the best assurance for non-nuclear States is that we should be able to live in a world which is free of nuclear weapons. When we have achieved this objective, we will not need to negotiate a convention to provide the necessary assurances for non-nuclear States. This is what I wanted to emphasize, Mr. President. However, we are fully ready to cooperate with you within these limits and within this framework and trust that God will grant you success. We assure you of our cooperation.

Mrs. CHOHF (India): I am a little surprised that this discussion is taking place while the formal plenary is still open but, nevertheless, since you have opened the floor for comments, I would like to make two very brief points.

As has been pointed out by previous speakers, this is the first time that we have formally heard of your proposal. It is not, of course, the first time we have heard of your intention to conduct informal Presidential consultations, to which we agreed - that you would hold these consultations immediately after the plenary. We therefore would like to study it and discuss it. As the Ambassador of Pakistan pointed out, the Group of 21, which met yesterday, took a particular position. That position is something which I think is reflected in the interventions which have been made so far - to an extent. I think that the Group needs now to reconsider that you have adopted a new approach and we might very well agree with it. We may not have a problem with it. But I think in all fairness, the Group of 21, at least speaking for our own Group - I cannot speak for other groups - would need to

hear from the Coordinator what exactly has been decided, what transpired at the Presidential consultations. And then we could move further. As I had occasion to say in the informal plenary, of paramount importance to me is the issue of nuclear disarmament. We have no problem with discussing any of the other items that are included in your list of 28 January, but I think that the priority which was set by all members of the Group of 21 on nuclear disarmament needs at least to be recognized. I would like to suggest, for your consideration, that once we adjourn the formal plenary perhaps the groups could be given a chance to meet and then we could reconvene at your informal Presidential consultations and continue, so that we have some time to discuss among ourselves what we are to do with a situation which does not in fact reflect what our positions were until yesterday. So I think that I would like to put this forward, not just for your consideration, but for the consideration of the Conference at large.

The PRESIDENT: Before giving the floor to several Ambassadors who have requested to speak, at this point I would like to intervene to clarify my position. I am not complaining of any group coordinator who participated in the Presidential consultations yesterday afternoon. But, from the beginning, I made it clear that I was intending to hold the open-ended Presidential consultations, and yesterday at the Presidential consultations I made it clear, at the beginning of that consultation, that it was my intention, within the authority given to the President, to decide the subjects for consultations and their timing. But as far as timing is concerned, I may be a little bit flexible. As far as I interpret the rules of procedure and other understandings regarding the authority of the President, it is his own decision to hold consultations on such items which have received the most attention. This is not an informal plenary, which is subject to amendment from the floor, in accordance with the rules of procedure - for example, rule 19 of the rules of procedure. These are Presidential consultations which would be open-ended. On the question of the annual agenda, we want, of course, to stick to the adoption of the agenda and work programme on the basis of the agenda, at the outset of the annual session. So the process of consensus-building on the annual agenda and work programme is still under way. But, I would like to appeal to all of you, even though I am flexible on the timing of the first open-ended Presidential consultations - please let me enjoy a part of the Presidential authority which by essence is limited.

I now give the floor to Ambassador Ledogar of the United States of America.

Mr. LEDOGAR (United States of America): Well, precisely, Mr. President, I distinctly heard you call, not just this morning but earlier in your term of office, for open-ended Presidential consultations, which I think is very much your right and your duty to pursue. They certainly would not be decision-taking meetings. Rule 22 of the rules of procedure is, I think, very clear. We are having some of the sea-lawyer's "rules" as reasons for not doing anything here this year. I would take a look at rule 22, saying that the Conference may hold informal meetings with or without experts to consider, as appropriate, substantive matters, etc. I find it curious that people say we have got to adopt an agenda first but we cannot talk about it. We must

Mr. Wang, China

On specific agenda items, my delegation's position is as follows: my delegation is of the view that the CD in 1997 should establish ad hoc committees on NSA as well as on the outer space issue. With regard to transparency in armaments, there will be no need to set up an ad hoc committee. We will have another occasion to elaborate our reasons. On the issue of landmines, my Government is still in the process of comprehensive deliberations. Pending the final decision of my Government on this issue, my delegation cannot commit itself in any way.

Mrs. BOURGOIS (France) (translated from French): Mr. President, I listened attentively to your suggestion and to the statements made by speakers taking the floor before me. Many of these statements are quite convincing. It is true that ideally it would be preferable to reach agreement on an agenda before embarking on the discussion of specific subjects. It is also true that it might be useful to consult with certain partners, once again before exchanging views on specific subjects. It is further true that not all of us necessarily have the same inclinations about the three subjects that you mentioned, while pointing out that they did not necessarily rule out others. Finally, it is also true that the concept of nuclear disarmament covers a large number of subjects, among them some of the subjects which were proposed for study here by certain delegations. Indeed, it is also true that they might also cover the idea of negotiating a treaty to prohibit fissile material for nuclear weapons or other nuclear devices by definition. In short, I think that all the observations that have been made are based on a logical and rational approach to the situation. However, my delegation thinks that you have taken an excellent initiative, Mr. President.

Let us not delude ourselves. On the subject of procedure, there are many ways of interpreting procedure, and while it is true that we must adopt an agenda by consensus, it is also true that the President, particularly when he inherits such a difficult situation as the one you are now in, has the right to conduct consultations which are open to everybody, which means by the same token that those who do not want to participate do not have to. It is also true that we do like to consult our partners, but until further notice it is States and not groups that are members of the Conference on Disarmament. It is also true we may have to do more work before we commit ourselves to specific discussions, but my foible is to believe that the delegations which have gathered in this room have a sufficiently serious knowledge of the subjects you have mentioned to be able to agree to discuss them, obviously on condition that the discussions are informal and do not commit them to accept any given procedure or even any given substantive approach to which their country might ultimately not subscribe. Personally I think that the three subjects which you have mentioned - and which, I repeat, do not rule out others - have a great advantage in this deadlocked situation we are now in.

After listening to the various statements which have been made in plenary since we began our work, we can all observe - this is practically a statistical fact - that it is these three subjects which finally emerge from all these statements, highly varied though they have been. At the same time, we cannot say in the present circumstances, when we have more or less been laid off temporarily - I do not think it would be wrong for us to agree to

(Mrs. Bourgois, France)

spend a few hours, even in a rather impromptu way, in an exchange among ourselves without any report, without any summary records, without any commitment on our part, a discussion which, with luck, might at some point leave behind the language of official formulas. This is why, speaking for myself, and even if, as you have said, we might find a certain amount of flexibility with respect to timetables, if that is really the problem, my delegation is quite prepared to embark upon this exercise that you are proposing, particularly since the three subjects which have been mentioned have one point in common, which is that all three, to varying degrees, have had proposals made on them, whose status is of course different, because to take the two extremes between the status of the issue of the prohibition of the production of fissile material, which has already been the subject of a discussion in this forum, a report and a mandate agreed by consensus, and the new idea put forward by the British delegation as a national one, which my delegation supports, of an ad hoc committee with a mandate on anti-personnel landmines, there is indeed a difference in status, but it remains the case that we have on the table two types of preparatory work for our discussions, and the same is true with regard to the programme of action, about which, as you know, my delegation is not necessarily totally enthusiastic, but it is still prepared to enter discussions. At all events, I wish to thank you for the effort you are making to try to get our discussions out of the rut and to say to you that, as far as my delegation is concerned, and even if these informal conversations do not enable us to reach the point where the normal proceedings of our Conference can resume, we will participate with the greatest good will.

Mr. REMKES (Netherlands): Like others, Mr. President, I would like to thank you for your efforts to try and see how this Conference could move forward at the moment it has to decide what to focus on after the negotiations that are behind us. A couple of days ago, I think, you announced that after the plenary of today we would go into informal consultations under your guidance. We are still - and Ambassador Ghose reminded us a while ago - in the plenary and that is somewhat unusual. On the other hand, it gives the necessary transparency that, as you know, my delegation is so fond of. So, others can see what the real difficulties are, and what we are confronted with.

I think that when you, Mr. President, took it upon yourself to be the President of this Conference for this month, not only in accordance with the rules of procedure, but by common practice that has existed here for a long time, you were expected to consult. You were expected to consult on how we could agree on further work. You can do this in many ways, and you have been doing that during your tenure. You have been consulting bilaterally and you have now proposed to consult, groupwise as it were, in the entirety in open-ended informal consultations. And, that is entirely, as you said yourself, within your prerogative. In fact, it is more than that: it is asked of you, you are expected to do it. So, yesterday in the Presidential consultations, where I happened to be because I happen to be at this moment the Coordinator of the Western Group, you announced how you were going to further conduct your consultations. And, we, I think, said that we were in your hands. By definition no decision was taken and no decision is necessary.

(Mr. Ramaker, Netherlands)

Yesterday, for those who were not yet informed, as far as I am aware, no decision was taken because you simply gave us pre-information of what you actually announced today and which, if I understood it well, meant that we would set aside some time in a couple of mornings and afternoons to have informal consultations - open-ended, so everyone is free to come or not to come - on "cut-off", nuclear disarmament, on landmines and on other issues. And, as I understand it, there is also an interest to discuss other issues. I think that you have put this very wisely and very pragmatically because I think we have to have some clarity in our minds about what it is that we are talking about on each of these issues before we can agree on an agenda and work programme, which, indeed, is desirable. So, nothing of what you have proposed - and I hope that that is a misunderstanding that can be eliminated - contradicts any of the established procedures of the Conference.

I would like to encourage you to continue the consultations. I think we are in your hands at this moment. I don't think there should be any limitation on the subjects in these consultations. The ones you mentioned by name seem to be close to the hearts of many, but some other subjects are very dear to others. I heard the Ambassador of Pakistan say that he is particularly interested in the question of regional disarmament; I remember others saying "Well, what does it really mean?" So I do not think that here we have to have some clarification on what it is that one has in mind before we can actually put it in an agenda. I do think we should understand these things, and I think we should be able to avoid misunderstandings. With regard to nuclear disarmament, I remember my colleague from Morocco, Ambassador Benjelloun-Touimi, saying a couple of days ago that nuclear disarmament means many things to many people, so probably there is some need to clarify what it is and what we have in mind when it comes to this subject in this forum. And therefore the only practical method, if you really want to move forward, is to go into the process of informal consultations and, of course, you will continue your bilateral consultations. As I said, you are expected to, but of course, you can also set aside time to have open-ended informal consultations, and if this or that delegation has an objection in principle - which would be surprising I think - it is, of course, free not to attend your consultations. I do think that you are on the right track and really there is nothing more I can think of to say. I wish you good luck in your consultation process and I am looking forward to it.

The PRESIDENT: I indeed thank Ambassador Ramaker for his encouraging words. I now give the floor to Ambassador de Icaza of Mexico.

Mr. de ICAZA (Mexico) (translated from Spanish): I apologize for taking the floor again, Mr. President. I am doing so because perhaps in my previous statement, when I was taken by surprise by the proposals you made, I spoke in categorical terms and this led some colleagues to understand that I intend to be discourteous. I wish to assure them that that is not my intention. I will not attend the consultations on mines next week, and I will not attend any others either, because I will not be in Geneva, I will be in Mexico in the first place. But in the proposal you are putting before us in this plenary, which is going to be placed on record, I perceive a difficulty.

Mr. de Icaza, Mexico)

You say that we are going to hold three open-ended Presidential consultations, three separate meetings, on specific subjects - on fissile material, on nuclear disarmament and on mines. I look at the procedural framework in which we operate and I see that rule 19 tells me that the arrangements for the work of the Conference must be agreed by the Conference, and in rule 22 I see that the Conference may hold informal meetings to consider substantive matters and the organization of work. I suppose this means substantive matters within the competence of the Conference. And you are making a procedural proposal that, if I remain silent, I automatically assent to work being carried out on three subjects. This obliges me to examine the three subjects, and I see that nuclear disarmament has been on our agenda for many years, and it is even in item 2 on last year's agenda. Of course I have no problem with holding an informal meeting to speak about something that has been on our agenda for a long time. And you tell us that the second meeting will be on fissile material, and there are documents of this Conference telling us that, in the past, there was institutional machinery on this topic; there is even a report dated 1995 that contains a draft mandate. I have no difficulty about holding informal, or formal, or whatever sort of consultations you like on a subject that the Conference has had on its agenda for a great deal of time. But you tell me that we are going to speak about mines in a special meeting, and I ask: Since when has this been on the agenda of the Conference on Disarmament? And if this has never been on the Conference's agenda, then are we going to be compelled to accept it?

I support your efforts, Sir. If I am not mistaken, in the first informal plenary, it was I who suggested that there should be open-ended Presidential consultations. I have no difficulty with these consultations covering the agenda and the programme of work, but if it is to be placed on record that consultations are going to be held on specific items, let it be very clear that there is no consensus that mines are part of the Conference's agenda. If this is very clear, Sir, I am in your hands.

Sir Michael WESTON (United Kingdom of Great Britain and Northern Ireland): I simply wanted to join with those who had thanked you for your proposals, Mr. President, and congratulate you on your constructive and determined efforts to get this show on the road. I really find it incredible that anyone should deny the right of the President to hold consultations, and yet that seems to be what we are doing now.

Last year I think the President at the beginning of the year was the distinguished representative of Myanmar, and he held consultations with all members, and I think these were very useful, and it was the result of this work that we were able to proceed. Obviously, it is a bit more difficult this year inasmuch as we now have more members and it takes longer to consult them all individually, and therefore you proposed that you should take a short-cut, if you like, and hold informal consultations in room I. The situation, then, seems to have become confused because people started then to talk of meetings, and it was made worse because people suggested - the proposal, I think, was put forward by a cigar smoker who was confident that he could make even this room a smoke-filled one - the proposal was put forward that we should move in

(Sir Michael Weston, United Kingdom)

here. The proposal was also made that we should have interpretation, but this did not change the nature of the consultation. As Ambassador Ledogar said, no one was suggesting that these should be formal meetings, that they should be meetings where decisions could be taken. They were Presidential consultations and, as I say, I do not think anyone can deny your right to hold these. There seems to be objection to your saying that it is your impression, following the discussion that we have had, that there have been three subjects which have dominated that discussion.

A lot of delegations have said that we should set up an ad hoc committee, as we have agreed to do, on "cut-off". You have quite correctly said that there are a lot of delegations who think that nuclear disarmament should be a priority and, also, a lot of delegations who have talked of landmines. But you have not said that you will confine yourself in the consultations to these three subjects, and I think it has been quite clear, as the distinguished Ambassador of the Netherlands said, it would be possible if he wishes to bring back his predecessor and call for an ad hoc committee on radiological weapons, and there is nothing to prevent this either. You could also have said, and this was a point made by the distinguished Ambassador of France, that these are three subjects on which there have been specific proposals to create ad hoc committees. There has been a specific proposal to have an ad hoc committee on fissile material cut-off, there has been a specific proposal by the Group of 21 to set up an ad hoc committee on nuclear disarmament, and - I do not suggest that this has the same status - but there has been a Franco-British proposal for an ad hoc committee on anti-personnel landmines. And these, I think, are formal proposals. The objection has been that landmines is not even on the agenda. But, I mean, if one wishes to make a lot of this point, we could perfectly well say that it should be dealt with under agenda item 7, in the same way as it has been agreed that "cut-off" - which, again, is not mentioned by name on the agenda - should be dealt with under agenda item 2.

But I go back to my starting-point: surely no one denies your right to hold consultations. You have suggested that to save time you will consult us all jointly. You have agreed, for the convenience of delegations, that it will be in a large smoke-filled room. You have agreed, for the convenience of delegations, that interpretation will be provided. But all you have proposed is that in accordance with your responsibilities - not just your rights - in accordance with your responsibilities you should consult. I really think that this Conference has reached a new level of absurdity. We can't agree on our agenda, we can't agree our work programme, we can't agree to establish subsidiary bodies, and now we cannot agree to allow you to hold consultations.

Mr. AKRAM (Pakistan): I would submit to those of our colleagues who have spoken about absurdity that the simplest way to avoid absurdity is to stick to our rules of procedure. Those rules are absolutely clear, and if and so long as we adhere to our rules of procedure, we will not get lost. It is the effort to confuse clarity which is puzzling for my delegation. We are very clear. Let us agree on the agenda. It should not be difficult. We have an agenda from last year, we have a paper from you, Mr. President. What we have suggested is: let us agree on the agenda. Once we agree on that agenda,

(Mr. Akram, Pakistan)

and we know which items are the ones that are to be taken up by this Conference in 1997, we will then be in a position to say how these items are to be dealt with, whether through the creation of ad hoc committees, special coordinators, or other mechanisms that are available to this Conference. We, in this process, should not be seeking to jump the gun. We have to agree on the agenda in accordance with rule 27. We then have to agree to set up negotiating mechanisms, that is, provide our work programme in accordance with rule 28. Those rules are clear. I do not believe that we should circumvent those rules.

We are not challenging the authority of the President to convene informal consultations. You had mentioned, as has been stated, you had mentioned that you would conduct informal consultations last week, but you had mentioned them in an informal meeting. When you bring this proposal into the plenary and announce that you will be conducting consultations which are devoted to three subjects, the question arises: Are those subjects on our agenda? And the answer is: not yet. They are not yet on our agenda. We have to agree to those subjects, and possibly others, to put them on our agenda, and once they are on our agenda we will then be in a position to consult, and to agree upon, the negotiating modalities on those issues. You cannot short-circuit the procedures that are provided for by our Conference's rules. That is the simple point that we are trying to make. We are not trying to be discourteous to you, Mr. President. We are not trying to delay the work. On the contrary, I believe it is those who wish to [as I said] confuse clarity who are delaying the work of this Conference. Let us not be confused. We know what we have to do. By all means do convene informal consultations, but please do not indicate here what the items for those consultations will be, because there are no items on the agenda of this Conference for 1997. That is a fact. So let us have informal consultations. Let us go into those informal consultations with an open mind, no pre-determined subjects. We will there discuss firstly our agenda, and then the modalities for our work, and our work programme. This is the submission we make. We are prepared to enter into informal consultations. We are not prepared at this stage to agree to some items and not to others.

Mr. NASSERI (Islamic Republic of Iran): Mr. President, as you and other colleagues who were present in the Presidential consultations may recall, when this proposal was suggested yesterday to hold consultations in the form that you have laid out today, we had some questions about the utility of the format that had been suggested and we were perhaps a bit apprehensive as to whether it would be useful to continue to discuss these various issues independently, in an informal setting, and whether this would not then prolong the discussions on the agenda and the work programme, whereas the spectrum of the views have already been established after formal and informal plenaries that we have had, and it is rather clear as to where the positions are that are more towards the ends of the spectrum. And would it not be more logical or feasible that we would try to concentrate on those areas, and to try to begin working on how we can find an agreement on grounds that will be, hopefully, in the middle of the spectrum or towards one or the other end?

(Mr. Nasseri, Islamic Republic of Iran)

Nevertheless, it was the President's view that this was the course that he intended to follow and he hoped, and I appreciated that he said it, in my view, in the most sincere way, that through this, the President could begin to perhaps find ways to look for an agreement.

In any case, just as I had apprehensions about the utility of the prolongation of these meetings in the forms that were suggested, I think today also I have apprehensions about the utility of the continuation of this discussion and debate here in the formal plenary. And I wonder whether it would not be perhaps better at this stage to suspend the meeting for 15 minutes and allow for some consultations and then come back to the formal plenary.

The PRESIDENT: I thank Ambassador Nasseri. Are there any other delegations wishing to take the floor? I thank you very much for the comments and remarks made by so many delegations around the table, which in my view are valid in one way or another. As Ambassador Nasseri has reminded me of the question he raised yesterday at the Presidential consultations, please allow me to react very briefly.

Yes, it is true that Ambassador Nasseri questioned the utility or effectiveness of having such informal Presidential consultations, and I answered that this was my plan under my own authority, but I did not want to prejudge the outcome of such informal Presidential consultations. Anyway, I did not intend to generate such a heated debate at the plenary on the plan I had made, and then I was intending to inform you of the plan I have set forth, of which I have already informed you through the coordinators of the groups. But, anyway, these were very useful discussions, and I would like to make it clear, once again, that from Tuesday onwards, I made it clear that while keeping the informal plenary process alive so that we may come back to it whenever a need arises, I should like to let you know that I was planning to have a series of informal, open-ended Presidential consultations.

Several delegations have referred to rules 19 and 22, regarding the conduct of the work of the Conference. I am talking about the authority of the President. As far as I understand it - as far as I interpret it - the President has the authority to conduct his own consultations, which may take the form of bilateral consultations, sometimes plurilateral consultations, or open-ended informal consultations. But it is a selection. I remember that the Ambassador from Pakistan mentioned that there is no agenda yet for the President to conduct informal consultations. But we are not talking about the formal agenda, which has not been adopted yet. I am talking about the Presidential informal consultations. But the selection of items I suggested was based upon my judgement, my assessment, on the frequency and density of the remarks and statements made by so many delegations on these three items. But I made it clear, once again, that the door is being kept open for any other items. Concerning the annual agenda: yes, I have been making every effort, being faithful to the rules of procedure, that at the outset of any annual session of the CD we are supposed to adopt the annual agenda and work programme. I made so many efforts, and then the process of pursuing a consensus on the annual agenda continues. If I borrow the Arabic expression,

(The President)

"The caravan marches on". Well, I think this is the situation. At the beginning of our discussion on this particular procedure, I said that I would be a little bit flexible on timing.

Having said all this, I suggest that the first informal open-ended Presidential consultations be held at 3.45 this afternoon in order that you will have some time to breathe over the lunch-time and, again, I remind you, these are open-ended informal Presidential consultations. So, such consultations will be devoted to the fissile material cut-off, and then another full session will be devoted to nuclear disarmament, and another one to landmines. We may extend or reduce the meetings, depending upon the time necessary for carrying out my informal Presidential consultations which will stay open-ended.

The next plenary meeting of the Conference will be held on Thursday, 14 February at 10.00 a.m.

The meeting rose at 12.15 p.m.